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House Journal
(vol. 1)

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HOUSE JOURNAL
OF THE
Forty-Third Legislature
OF THE
STATE OF MONTANA

VOLUME 1

Held at Helena, the seat of Government of Said State,
Commencing in Second Regular Session January 7, 1974, and
Ending March 16, 1974.

HAROLD GERKE
Speaker of the House

Edwin A. Smith
Chief Clerk of the House

Linda Barrett
Journal Clerk

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HOUSE JOURNAL

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HOUSE JOURNAL

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Forty-Third Legislature

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State of Montana

FIRST LEGISLATIVE DAY

Helena, Montana
January 7, 1974

House Chambers
Capitol Building

Pursuant to the Constitution of the State of Montana, at the hour of 12:00 noon, the House of Representatives, Second Regular Session of the Forty-third Legislative Assembly of the State of Montana, was called to order by the Honorable Harold E. Gerke, Speaker of the House of Representatives, who addressed the assembly as follows:

"It is a pleasure to greet all of you on this historic occasion — the first time a Montana State Legislative Assembly has met in a second regular session. We know that we must expect a great volume of proposed legislation, some of which will be of a highly controversial and difficult nature. We also know that we are facing the trials and tribulations of long and tiring hours, and there will be moments of doubt and frustration.

However, if we constantly keep in mind the best interests of the State of Montana, we cannot go too far afield and our deliberations will be successful not only so far as the immediate future is concerned but also for the long range future of Montana.

I want you to know that you have my full and complete cooperation, and — in return — I ask yours."

The Speaker then made the following introductions of the officers of the House for the 1974 Session: Edwin Smith, Chief Clerk; Don Scanlin, Sergeant-at-Arms; and The Reverend George Harper, Chaplain. Rostrum employees were introduced as Steve Helmbrecht, Assistant Chief Clerk; Ralph Kirscher, Reading Clerk; Pat Tyanich, Bill Clerk; Diann Fradett, Assistant Bill Clerk; Linda Barrett, Journal Clerk; Joyce Andrus, Assistant Journal Clerk; Dennis Lester, Bills Coordinator; and Shaun Devine, Assistant Bills Coordinator. Pages for the first week of the session were introduced as Sandra Frank, Blythe Nelson, Jay Preston and Fumi Shirasago.

Posting of the Colors by Lieutenant Gerald L. Watne and staff from the Montana National Guard, and the Pledge of Allegiance to the Flag by the assembly followed.

Invocation was given by the Reverend George Harper.

The Speaker announced one change in membership of the House: C. Thorton Mann, Republican, District 22, Ravalli County, has replaced Representative Norris Nichols. The Speaker then presented to the Chief Clerk certification of Representative Mann's appointment, and his oath of office, to be officially filed in the Office of Secretary of State, Frank Murray.

The Chief Clerk called the roll by districts, all members being present except Representative William Zimmer, excused.

The Chief Clerk read the list of committees with changes as follows:

LONG RANGE BUILDING COMMITTEE — Johnston, Chairman; Healey, Vice Chairman; Swanberg, Olson, Ainsworth and Lockrem.

PUBLIC HEALTH, WELFARE AND SAFETY — Lee, Chairman; Norman, Vice Chairman; Asbjornson, Bennetts, Brown, Driscoll, Fagg, Hall, Healy, Holmes, Jones, Marbut, McKittrick, Olson, Turner, Yardley and Zimmer. Room 428 A; Tues., Thurs.; 10:30 A.M.

RULES COMMITTEE — Fasbender, Gerke, Hall, Kvaalen, Laas, Lockrem, Lucas and Selstad.

HIGHWAYS AND TRANSPORTATION — Laas, Chairman; Healy, Vice Chairman; Ageson, Baeth, Campbell, Cotton, Glennen, R. Harper, Kendall, Lien, Rolfe, Selstad, Staigmillar, Walborn and Watt. Room 437; Tues., Thurs., Sat. after adjournment.

STATE ADMINISTRATION — Brand, Chairman; Greely, Vice Chairman; Bardanouve, Burnett, Campbell, Flynn, Gunderson, Hageman, Hodges, Kessner, Menahan, Mercer, Seifert, Towe and Ulmer. Room 433-34; Tues., Thurs., Sat.; 10:30 A.M.

LEGISLATIVE ADMINISTRATION — Edland, Chairman; Lynch, Vice Chairman; Hubing, Norman and Turner.

LABOR AND EMPLOYMENT RELATIONS — McKittrick, Chairman; Lombardi, Vice Chairman; Baeth, Bell, Bennetts, Colberg, East, Ellerd, Flynn, Hodges, Kimble, Lee, Tierney, Turman and Turner. Room 428A; Wed., Fri.; 10:30 A.M.

TAXATION — Watt, Chairman; Healy, Vice Chairman; Burnett, Edland, Fagg, Halvorson, Kolstad, Lundgren, Norman, Stephens, Swanberg, Tierney, Towe, Ulmer and Yardley. Room 437; Daily 8:00 A.M.

NATURAL RESOURCES — Shelden, Chairman; Bradley, Vice Chairman; Ainsworth, Castles, Colberg, H. Harper, Huennekens, Johnston, Lien, Lucas, Lundgren, Quilici, Schepens, Schye, Stoltz, Swanberg and Walborn. Room 405; Tues., Thurs., Sat.; 10:30 A.M.

LOCAL GOVERNMENT — Kosena, Chairman; Kendall, Vice Chairman; Bradley, Cox, Holtz, Jacobsen, Jones, Kimble, Lockrem, Lombardi, Mann, Mehrens, Roberts, Schepens, Smith, Turman and Zimmer. Room 344; Mon., Wed., Fri.; 8:00 A.M.

JUDICIARY — Hall, Chairman; Yardley, Vice Chairman; Lucas, Baeth, Baucus, Bell, Brown, Greely, Marbut, McKittrick, Roberts, Towe and Warfield. Room 436; Daily, 9:00 A.M.

FISH AND GAME — Staigmillar, Chairman; Johnston, Vice Chairman; Barrett, Baucus, Brand, Clemow, Forsgren, Galt, Hager, Huennekens, Menahan, Prevost, Roberts, Seifert and Stephens. Room 430-431; Mon., Wed., 10:30 A.M.

CONSTITUTION; ELECTIONS AND FEDERAL RELATIONS — Lombardi, Chairman; Greely, Vice Chairman; Ainsworth, Castles, Haines, Hall, Halvorson, H. Harper, Kendall, Kosena, Murphy, Schye and Watt. Room 344; Mon., Wed., 10:30 A.M.

FINANCE AND CLAIMS — Bardanouve, Chairman; Prevost, Vice Chairman; Asbjornson, Baucus, East, Fleming, Glennen, Haines, Holtz, Jacobsen, Kosena, Laas, Lund, Lynch, Manuel, Marks and Regan. Room 343; Daily 9:00 A.M.

BUSINESS AND INDUSTRY — Mehrens, Chairman; Lien, Vice Chairman; Driscoll, Hageman, R. Harper, Kessner, Lockrem, Ageson, Manuel, Mercer, Olson, Quilici, Regan, Rolfe, Selstad, Swanberg and Laas. Room 433; Mon., Wed., Fri., 10:30 A.M.

BILLS AND JOURNAL — Quilici, Chairman; Fleming, Vice Chairman; Barrett, Kimble, Walborn. Room 435.

AGRICULTURE, LIVESTOCK AND IRRIGATION — Fleming, Chairman; Edland, Vice Chairman; Brand, Clemow, Cotton, Ellerd, Galt, Gunderson, Hageman, Hager, Johnston, Kolstad, Mann, Prevost, Smith, Staigmiller and Stephens. Room 428 B; Mon., Wed. after adjournment.

EDUCATION — Gunderson, Chairman; Cotton, Vice Chairman; Barrett, Bradley, Cox, Forsgren, Holmes, Hubing, Lund, Lynch, Marks, Menahan, Murphy, Schepens, Shelden, Stoltz and Warfield. Room 430-431; Tues., Thurs., Sat. 8:00 A.M.

MOTIONS

Fasbender moved that the Speaker appoint a committee of five members to extend greetings to His Excellency, The Governor, and to advise him that the House of Representatives is now organized for the Second Regular Session of the 43rd Legislative Assembly, and ready to receive any message he has for us. The committee will ascertain the time set by the Governor for the delivery of his message and will report such time to this House.

Motion carried.

The Speaker appointed Laas, Hageman, Holmes, Warfield and Ulmer.

Fasbender moved that the Speaker appoint a committee of five members to extend greetings to the Honorable Senate and to advise the House is organized and ready for the business of the Second Regular Session of the 43rd Legislative Assembly.

Motion carried.

The Speaker appointed Mehrens, Yardley, Fleming, Clemow and Bell.

Fasbender moved that the Speaker appoint a committee of five members to extend greetings to the Honorable Chief Justice and the Associate Justices of the Supreme Court of the State of Montana that the House is organized and ready for the business of the Second Regular Session of the 43rd Legislative Assembly.

Motion carried.

The Speaker appointed Baucus, Brand, Murphy, East and Barrett.

MESSAGES FROM THE GOVERNOR

January 7, 1974

Hon. W. Gordon McOmber
President of the Senate
43rd Legislative Assembly, Second Session
Capitol
Helena, Montana

Honorable Harold E. Gerke
Speaker of the House
43rd Legislative Assembly, Second Session
Capitol
Helena, Montana

Gentlemen:

This will notify you of my intention to deliver the State of the State address at 1:30 p.m. Wednesday, January 9, 1974, in the Chambers of the House of Representatives.

Sincerely,

THOMAS L. JUDGE
Governor

MOTIONS

Fasbender moved that House Bill No. 518 be taken from second reading and referred to the Committee on Taxation.

Motion carried.

REPORTS OF SELECT COMMITTEES

A committee from the Senate composed of Bertsche, Flynn and Hazelbaker was admitted and advised the House that the Senate was organized and ready for business; and they wished the House a successful and speedy Session.

MOTIONS

Fasbender moved that House Bill No. 298 be taken from second reading and returned to the Committee on Judiciary.

Motion carried.

Fasbender moved that House Bill No. 300 be taken from third reading and returned to the Committee on Judiciary.

Motion carried.

Fasbender moved to add Zimmer, Asbjornson and Marbut as co-sponsors to House Bill No. 694.

Motion carried.

REPORTS OF SELECT COMMITTEES

The committee appointed to notify the Senate reported that it had done so. They were thanked for their faithful performance and discharged.

MOTIONS

Fasbender moved to add Zimmer, Asbjornson and Marbut as co-sponsors to House Bill 670.

Motion carried.

Fasbender moved to add Zimmer, Asbjornson and Marbut as co-sponsors to House Bill 674.

Motion carried.

REPORTS OF SELECT COMMITTEES

The committee appointed to notify the Supreme Court reported that it had done so. They were thanked for their faithful performance and discharged.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following bills were introduced, read first time and referred to committees:

House Bill No. 631, introduced by House Rules Committee: A bill for an act entitled: "An act amending Section 43-1002, R.C.M. 1947, authorizing additional time for preparation of fiscal notes." Referred to Committee on Finance and Claims.

House Bill No. 632, introduced by Lockrem, Mercer, McKittrick, Aageson: A bill for an act entitled: "An act to provide for economic impact statements for certain proposed legislation and other state actions; and providing an effective date." Referred to Committee on State Administration.

House Bill No. 633, introduced by Towe: A bill for an act entitled: "An act requiring each county commissioner to be elected from a separate district, and amending Section 16-902, R.C.M. 1947." Referred to Committee on Local Government.

House Bill No. 634, introduced by Halvorson, Roberts: A bill for an act entitled: "An act defining the rights and duties of motorists, livestock owners, and the

Department of Highways where a state highway crosses open range; and directing the department to classify such areas according to the degree of traffic hazard created by livestock and to fence out livestock in the more hazardous areas; and amending Sections 32-2426 and 32-2427, R.C.M. 1947." Referred to Committee on Highways and Transportation.

House Bill No. 635, introduced by Roberts: A bill for an act entitled: "An act requiring the underground installation of electric power distribution lines in new service areas." Referred to Committee on Business and Industry.

House Bill No. 636, introduced by Schye: A bill for an act entitled: "An act limiting the number of bills which a legislator may introduce." Referred to Committee on Rules.

House Bill No. 637, introduced by Towe: A bill for an act entitled: "An act to define the rights of a father with respect to his illegitimate child, and to clarify the status of certain adoption proceedings involving illegitimate children, and amending Sections 61-108 and 61-205, R.C.M. 1947, and providing an effective date." Referred to Committee on Judiciary.

House Bill No. 638, introduced by Haines: A bill for an act entitled: "An act to repeal Section 84-4902.1, R.C.M. 1947, relating to the ten percent (10%) surtax on income." Referred to Committee on Taxation.

House Bill No. 639, introduced by Haines: A bill for an act entitled: "An act to amend Section 84-4908, R.C.M. 1947, to provide for a standard deduction of fifteen percent (15%) in computing net income." Referred to Committee on Taxation.

House Bill No. 640, introduced by Halvorson: A bill for an act entitled: "An act amending Section 69-4905, R.C.M. 1947, to protect drinking water supplies from pollution by livestock." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 641, introduced by Fasbender: A bill for an act entitled: "An act requiring every statute to begin with an enacting clause and prescribing the form of that clause; and providing an effective date." Referred to Committee on Judiciary.

House Bill No. 642, introduced by Murphy: A bill for an act entitled: "An act to provide a procedure for recall of state officers and legislators." Referred to Committee on Education.

House Bill No. 643, introduced by Brown, Zimmer, Jones: A bill for an act entitled: "An act amending Section 94-5-304, R.C.M. 1947, to require the death penalty regardless of mitigating circumstances for the crime of aggravated kidnapping when the victim dies or is killed; and providing an effective date." Referred to Committee on Judiciary.

House Bill No. 644, introduced by Greely: A bill for an act entitled: "An act amending Section 11-3214, R.C.M. 1947, permitting city commissioners to hold other public office and employment." Referred to Committee on Local Government.

House Bill No. 645, introduced by Bell: A bill for an act entitled: "An act prohibiting the discharge of a firearm across a county highway and amending Section 32-21-113, R.C.M. 1947." Referred to Committee on Fish and Game.

House Bill No. 646, introduced by Murphy: A bill for an act entitled: "An act providing for a moratorium on sapphire mining until the Department of Revenue completes a comprehensive study of the taxation of sapphire mines." Referred to Committee on Natural Resources.

House Bill No. 647, introduced by Towe: A bill for an act entitled: "An act amending Sections 70-707 and 93-4215, R.C.M. 1947, to authorize the Consumer Counsel to apply for, and the courts to grant, restraining orders." Referred to Committee on Business and Industry.

House Bill No. 648, introduced by Hager: A bill for an act entitled: "An act amending Sections 82A-303, 82A-1303, and 82A-1304, R.C.M. 1947; repealing Section 82A-1302, R.C.M. 1947; and transferring all functions of the Department

of Livestock except those pertaining to beef cattle to the Department of Agriculture." Referred to Committee on Agriculture, Livestock and Irrigation.

House Bill No. 649, introduced by Fasbender: A bill for an act entitled: "An act for the codification and general revision of the laws relating to the Department of Professional and Occupational Licensing." Referred to Committee on Business and Industry.

House Bill No. 650, introduced by Brand: A bill for an act entitled: "An act providing for civilian driver's license examiners and changing driver's license fees; and amending Sections 31-117 and 31-135, R.C.M. 1947." Referred to Committee on Highways and Transportation.

House Bill No. 651, introduced by Halvorson: A bill for an act entitled: "An act imposing an additional tax on the capital gain realized in the speculative sale of land; and prescribing penalties for the evasion of such tax." Referred to Committee on Taxation.

House Bill No. 652, introduced by Brand: A bill for an act entitled: "An act transferring the Lewis and Clark Caverns State Park to the Department of Highways." Referred to Committee on Fish and Game.

House Bill No. 653, introduced by R. Harper: A bill for an act entitled: "An act requiring a bank to print a picture of the depositor on a personal check." Referred to Committee on Business and Industry.

House Bill No. 654, introduced by Lynch, Lee, Quilici: A bill for an act entitled: "An act extending the antidiscrimination statutes to prohibit discrimination against the physically handicapped; amending Sections 64-301 and 64-302, R.C.M. 1947, and providing a penalty and a civil remedy." Referred to Committee on Labor and Employment Relations.

House Bill No. 655, introduced by R. Harper, McKittrick, Towe: A bill for an act entitled: "An act requiring the disclosure of mileage during transfer of a motor vehicle, prohibiting tampering with motor vehicle odometers, and providing a penalty." Referred to Committee on Business and Industry.

House Bill No. 656, introduced by Haines: A bill for an act entitled: "An act to amend Section 84-4910, R.C.M. 1947, to provide for a personal exemption of seven hundred fifty dollars (\$750) in computing taxable income." Referred to Committee on Taxation.

House Bill No. 657, introduced by Greely: A bill for an act entitled: "An act providing for alternate methods of financing city-county boards of health in first and second class counties; amending Section 69-4508, R.C.M. 1947; and providing an effective date." Referred to Committee on Local Government.

House Bill No. 658, introduced by Roberts: A bill for an act entitled: "An act amending Section 43-507, R.C.M. 1947, to establish the effective date of a statute as the first day of the following January unless the statute specifies another date." Referred to Committee on Judiciary.

House Bill No. 659, introduced by Bell: A bill for an act entitled: "An act to amend Section 19-107, R.C.M. 1947, changing the official date of the Veterans' Day holiday." Referred to Committee on Education.

House Bill No. 660, introduced by Halvorson: A bill for an act entitled: "An act directing the Montana Arts Council to commission a statue of Jeannette Rankin for placement in the rotunda of the State Capitol." Referred to Committee on State Administration.

House Bill No. 661, introduced by Fasbender: A bill for an act entitled: "An act amending Section 27-407, R.C.M. 1947, to apply the rulemaking procedures of the Administrative Procedure Act to proceedings for fixing minimum prices by the Board of Milk Control." Referred to Committee on Business and Industry.

House Bill No. 662, introduced by Greely: A bill for an act entitled: "An act revising the sanctions for operating a school bus in violation of the Transportation Law or policies of the Board of Public Education, and amending Section 75-7006, R.C.M. 1947." Referred to Committee on Education.

House Bill No. 663, introduced by Ulmer: A bill for an act entitled: "An act amending Section 4-333, R.C.M. 1947, to license the sale of wine in certain establishments licensed to sell beer." Referred to Committee on Business and Industry.

House Bill No. 664, introduced by Bardanoue: A bill for an act entitled: "An act requiring the State Board of Investments to manage assets of the police pension reserve funds in the pooled investment fund; requiring actuarial valuations of police pension funds for the Municipal Audit Division of the Department of Intergovernmental Relations; funding such valuations; and amending Sections 11-1829, and 11-1835, R.C.M. 1947." Referred to Committee on State Administration.

House Bill No. 665, introduced by Bardanoue: A bill for an act entitled: "An act requiring the State Board of Investments to manage funds of the fire department relief associations in the pooled investment fund; requiring actuarial valuations of such associations for the Municipal Audit Division of the Department of Intergovernmental Relations; funding such valuations; and amending Sections 11-1914, and 11-1920, R.C.M. 1947." Referred to Committee on State Administration.

House Bill No. 666, introduced by R. Harper, McKittrick, Towe: A bill for an act entitled: "An act establishing a Victims of Crime Compensation Board, providing for the procedures therefor and the limits of jurisdiction thereof, providing for appointment of officers and board members thereof and the salaries and duties thereof, providing for establishment of a trust fund and providing for additional criminal fines; and amending Section 95-2228, R.C.M. 1947." Referred to Committee on Judiciary.

House Bill No. 667, introduced by Watt: A bill for an act entitled: "An act amending Sections 31-221, 68-1303, 68-1420, 75-6215, 84-4905, and 93-1126, R.C.M. 1947, by placing a limitation of three thousand six hundred dollars (\$3,600) on the amount of Federal Employees Retirement Act income, and a limitation of seven thousand two hundred dollars (\$7,200) on the amount of state, school or local government systems retirement income which may be exempt from state income tax; providing an age limitation; and providing an effective date." Referred to Committee on Taxation.

House Bill No. 668, introduced by Kvaalen: A bill for an act entitled: "An act to appropriate moneys for public education and school transportation for the fiscal year ending June 30, 1975." Referred to Committee on Finance and Claims.

House Bill No. 669, introduced by Murphy: A bill for an act entitled: "An act amending Sections 82A-302, 3-118, and 3-120, R.C.M. 1947, to reestablish the Agricultural Marketing Coordinator within the office of the Governor; and providing an effective date." Referred to Committee on Agriculture, Livestock and Irrigation.

House Bill No. 670, introduced by Gerke: A bill for an act entitled: "An act exempting legislative employees from the provisions of Section 59-904, R.C.M. 1947; and providing an effective date." Referred to Committee on State Administration.

House Bill No. 671, introduced by Menahan, Flynn: A bill for an act entitled: "An act to amend Sections 68-1503, 68-1607, 68-1904, 68-2202 through 68-2305, 82A-210, R.C.M. 1947, to update Public Employees' Retirement System." Referred to Committee on Labor and Employment Relations.

House Bill No. 672, introduced by R. Harper, Driscoll, Towe: A bill for an act entitled: "An act establishing the rights and obligations of landlords and tenants in security deposits." Referred to Committee on Judiciary.

House Bill No. 673, introduced by Yardley: A bill for an act entitled: "An act amending Section 75-6923, R.C.M. 1947, to increase by three percent (3%) the amount by which a school district general fund budget may exceed the same budget for the preceding year." Referred to Committee on Education.

House Bill No. 674, introduced by Gerke: A bill for an act entitled: "An act authorizing the Attorney General to prosecute public offenses disclosed by audits of the Legislative Auditor; and to provide an effective date." Referred to Committee on Judiciary.

House Bill No. 675, introduced by R. Harper, McKittrick: A bill for an act entitled: "An act requiring consumer education courses to be offered in the high schools." Referred to Committee on Education.

House Bill No. 676, introduced by Towe: A bill for an act entitled: "An act requiring consolidated metering of the purchases of electricity and gas by the state and by local subdivisions; and authorizing the appropriate negotiating body to seek a favorable rate classification to reflect such consolidation." Referred to Committee on State Administration.

House Bill No. 677, introduced by R. Harper, McKittrick, Towe: A bill for an act entitled: "An act amending Section 87A-2-316, R.C.M. 1947, to limit the exclusion or modification of warranties in consumer sales." Referred to Committee on Business and Industry.

House Bill No. 678, introduced by Cox: A bill for an act entitled: "An act amending Section 69-2701, R.C.M. 1947, to prohibit the sale or use of fireworks except in supervised public displays sponsored by municipalities, fair associations, amusement parks, and other approved organizations or persons." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 679, introduced by Yardley: A bill for an act entitled: "An act amending Section 4-403, R.C.M. 1947, to establish a policy against discrimination in clubs holding liquor licenses." Referred to Committee on Business and Industry.

House Bill No. 680, introduced by R. Harper: A bill for an act entitled: "An act placing community antenna television systems under the regulatory jurisdiction of the Public Service Commission; requiring such systems to carry public access channels subject to regulations of the Federal Communications Commission; and providing an effective date." Referred to Committee on State Administration.

House Bill No. 681, introduced by Gerke: A bill for an act entitled: "An act amending Sections 16-4505, 16-4506, 16-4507, 16-4508, and 16-4520, R.C.M. 1947, to extend the voting franchise to all owners, lessees and residents of real property within county water and sewer districts; and providing an effective date." Referred to Committee on Local Government.

House Bill No. 682, introduced by Greely: A bill for an act entitled: "An act to amend Section 54-132, R.C.M. 1947, relating to the criminal sale of dangerous drugs." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 683, introduced by Greely, Kosenka, Haines: A bill for an act entitled: "An act regulating campaign finances and practices in all campaigns relating to elections for public office or elections where issues are placed before the voters; limiting campaign expenditures; creating the position of Commissioner of Campaign Finances and Practices to be attached to the office of the Secretary of State for administration; requiring campaign financial records and reports; providing civil and criminal penalties; and repealing Sections 23-4715 through 23-4717, 23-4719 through 23-4721, 23-4727 through 23-4738, 23-4742 through 23-4745, 23-4748, 23-4750, and 23-4755 through 23-4757, R.C.M. 1947." Referred to Committee on Constitution, Elections and Federal Relations.

House Bill No. 684, introduced by R. Harper: A bill for an act entitled: "An act providing for the payment of a professional agent to aid the insured in motor vehicle insurance claims, and amending Section 53-438, R.C.M. 1947." Referred to Committee on Business and Industry.

House Bill No. 685, introduced by R. Harper: A bill for an act entitled: "An act prohibiting negative option plans." Referred to Committee on Business and Industry.

House Bill No. 686, introduced by Towe: A bill for an act entitled: "An act confirming the status of halfway houses and district youth guidance homes serving eight (8) or fewer persons as single family residences for zoning, health, and safety code purposes, and amending Sections 11-2702.1 and 11-2702.2, R.C.M. 1947." Referred to Committee on Local Government.

House Bill No. 687, introduced by Cox: A bill for an act entitled: "An act to amend Section 19-107, R.C.M. 1947, changing the official date of the Veterans'

Day holiday." Referred to Committee on Constitution, Elections and Federal Relations.

House Bill No. 688, introduced by Cox: A bill for an act entitled: "An act amending Section 62-305, R.C.M. 1947, to provide free camping for senior citizens of Montana in the state parks." Referred to Committee on Natural Resources.

House Bill No. 689, introduced by Kvaalen: A bill for an act entitled: "An act repealing the Montana Wheat Research and Marketing Act, Sections 3-2901 through 3-2919, R.C.M. 1947." Referred to Committee on Agriculture, Livestock and Irrigation.

House Bill No. 690, introduced by Watt: A bill for an act entitled: "An act authorizing up-grading crews within the Department of Highways." Referred to Committee on Highways and Transportation.

House Bill No. 691, introduced by Edland, Jacobsen, Lien: A bill for an act entitled: "An act amending Section 66-906, R.C.M. 1947, providing for full and immediate reciprocity for dentists who wish to practice their first two (2) years in Montana in dentist-deficient counties." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 692, introduced by Gerke: A bill for an act entitled: "An act deleting the requirement that proposed public housing projects be approved by popular election, and amending Section 35-109, R.C.M. 1947." Referred to Committee on Local Government.

House Bill No. 693, introduced by Manuel: A bill for an act entitled: "An act to provide for the organization, operation, and supervision of cooperative, nonprofit thrift and credit associations to be known as credit unions and to define their powers; and repealing Sections 14-130 through 14-158, R.C.M. 1947." Referred to Committee on Business and Industry.

House Bill No. 694, introduced by Gerke: A bill for an act entitled: "An act to amend the Legislative Audit Act, Sections 79-2303 through 79-2312, R.C.M. 1947, renumbering and adding new sections to incorporate provisions of the Model Post-auditing Act." Referred to Committee on Business and Industry.

House Bill No. 695, introduced by Holmes: A bill for an act entitled: "An act expanding ethnic studies programs for elementary and secondary school teachers, providing for Mexican-American studies, and amending Sections 75-6129, 75-6130, 75-6131, and 75-6132, R.C.M. 1947." Referred to Committee on Education.

House Joint Resolution No. 40, introduced by Joint Rules Committee: A Joint Resolution of the Senate and the House of Representatives of the State of Montana to adopt Joint Rules to govern its proceedings. Referred to Committee on Rules.

House Joint Resolution No. 41, introduced by Brown, Haines, Castles: A Joint Resolution of the Senate and the House of Representatives of the State of Montana to commission a memorial to Jeannette Rankin for the State Capitol. Referred to Committee on State Administration.

House Joint Resolution No. 42, introduced by Campbell: A Joint Resolution of the Senate and the House of Representatives of the State of Montana to the Congress of the United States concerning the great need for improved rail passenger service; and for the re-establishment of the railway mail service. Referred to Committee on Constitution, Elections and Federal Relations.

House Resolution No. 44, introduced by Fasbender: A Resolution of the House of Representatives of the State of Montana to adopt rules to govern its proceedings in addition to the Joint Rules. Referred to Committee on Rules.

REPORTS OF SELECT COMMITTEES

The committee appointed to notify the Governor reported that it had done so. The Governor wished the House well and informed them that his doors were always open and the legislators were welcome at any time. The committee was thanked for their faithful performance and discharged.

Fasbender moved that the House recess until 1:00 p.m. and advised the repre-

sentatives to add co-sponsors to the pre-filed bills, if they so desire, during this time.

Motion carried.

House recessed.

House resumed.

MOTIONS

Lynch moved that the following be added as co-sponsors to House Bill 654: Mehrens, Menahan, Lombardi, Kvaalen, Lucas, Healy, Kosen, Driscoll, Olson.

Motion carried.

Lockrem moved that the following be added as co-sponsors to House Bill 632: Lucas, Lynch, Lombardi, Flynn, Cox, Quilici, Seifert, Rolfe, Galt, Kolstad, Selstad, Edland, Lien, Lee, Walborn, Smith, Bell, Brand, Baeth, Healy.

Motion carried.

Halvorson moved that the following be added as co-sponsors to House Bill 634: Baeth, Shelden, Johnston.

Motion carried.

Halvorson moved that the following be added as co-sponsors to House Bill 640: Baeth, Roberts, Kendall, Shelden.

Motion carried.

Halvorson moved that the following be added as co-sponsors to House Bill 651: Turman, Driscoll, Huennekens.

Motion carried.

Halvorson moved that the following be added as co-sponsors to House Bill 660: Watt, Haines, Regan, Stoltz, Bennetts, Holmes.

Motion carried.

Haines moved that the following be added as co-sponsors to House Bill 638: Schye, Asbjornson, Barrett.

Motion carried.

Haines moved that the following be added as co-sponsors to House Bill 656: Schye, Asbjornson, Barrett.

Motion carried.

Haines moved that the following be added as co-sponsors to House Bill 639: Schye, Asbjornson, Barrett.

Motion carried.

Roberts moved that the following be added as co-sponsors to House Bill 658: Lund, Swanberg, Huennekens, Yardley, Kimball.

Motion carried.

Roberts moved that the following be added as co-sponsors to House Bill 635: Marbut, Towe, Driscoll.

Motion carried.

R. Harper moved that the following be added as co-sponsors to House Bill 666: H. Harper, Baucus, Stoltz, Fleming.

Motion carried.

R. Harper moved that the following be added as co-sponsors to House Bill 675: Greely, Baucus, Bennetts, H. Harper, Fleming, Stoltz.

Motion carried.

R. Harper moved that the following be added as co-sponsors to House Bill 677: Regan, Baucus, Bennetts, H. Harper, Stoltz, Fleming, Brown.

Motion carried.

R. Harper moved that the following be added as co-sponsors to House Bill 685: Regan, Baucus, H. Harper, Bennetts, Stoltz, Towe, Fleming, Brown.

Motion carried.

Manuel moved that the following be added as co-sponsors to House Bill 693: Haines, Fasbender, Regan, Schepens, Halvorson, Baeth, Shelden, Cox, Fagg, Gerke, Johnston, R. Harper, Menahan, Stoltz, Lynch.

Motion carried.

Edland moved that the following be added as co-sponsors to House Bill 691: Aageson, Hubing.

Motion carried.

Kvaalen moved that the following be added as co-sponsors to House Bill 668: Cox, Marks, Ulmer.

Motion carried.

Cox moved that the following be added as co-sponsors to House Bill 678: Mehrens, Mercer, McKittrick, Lundgren.

Motion carried.

Cox moved that the following be added as co-sponsors to House Bill 687: Stephens, Glennen, Johnston, Bell, Lucas, Baeth.

Motion carried.

Cox moved that the following be added as co-sponsors to House Bill 688: Glennen, Stephens, Quilici, Forsgren, Lucas.

Motion carried.

Towe moved that the following be added as co-sponsors to House Bill 633: Huennekens, Colberg, Holmes, R. Harper, Roberts, Regan, Hager.

Motion carried.

Towe moved that the following be added as co-sponsors to House Bill 637: Marbut.

Motion carried.

Towe moved that the following be added as co-sponsors to House Bill 686: R. Harper, Marbut, Turman.

Motion carried.

Towe moved that the following be added as co-sponsors to House Bill 676: R. Harper, Murphy, Driscoll, Regan, Bardanouve, Roberts, Bradley, Baucus, Kimble.

Motion carried.

Towe moved that the following be added as co-sponsors to House Bill 647: R. Harper, Murphy, Driscoll, Regan, Roberts, Bradley, Baucus, Kimble.

Motion carried.

Murphy moved that the following be added as co-sponsors to House Bill 669: Edland, Stoltz, Baucus, Fleming, Stephens, Gunderson.

Motion carried.

The Speaker announced that Bob Brown has been appointed to replace Norris Nichols on the House Select Committee on Gambling.

Fasbender moved that the House adjourn until 1:30 p.m., January 8, 1974.

Motion carried.

House adjourned.

HAROLD E. GERKE, Speaker

EDWIN A. SMITH, Chief Clerk

SECOND LEGISLATIVE DAY

Helena, Montana
January 8, 1974

House Chambers
Capitol Building

House convened at 1:30 p.m., Mr. Speaker in the Chair.

Invocation by the Chaplain.

Pledge of Allegiance to the Flag.

Roll call. All members present except Zimmer and Kvaalen, excused.

Quorum present.

Mr. Speaker: We, your Committee on Bills and Journal, having examined the daily journal for the First Legislative Day, find the same to be correct.

QUILICI, Chairman

REPORTS OF STANDING COMMITTEES

January 7, 1974

Mr. Speaker: We, your Committee on Legislative Administration recommend that the following be employed by the House of Representatives for the Second Regular Session of the 43rd Legislature:

Ed Smith.....	Chief Clerk
Steve Helmbrecht.....	Assistant Chief Clerk
Martha McGee.....	Secretary to Chief Clerk
Lynn Massman.....	Secretary to Assistant Chief Clerk
Ralph Kirscher.....	Reading Clerk
Donna Carney.....	Office Coordinator
Kathy Fuller.....	Typist-File Clerk
Don Scanlin.....	Sergeant-at-Arms
Elmore Ladwig.....	Assistant Sgt.-at-Arms
Kes Rigler.....	Assistant Sgt.-at-Arms
Diane Danicheck.....	Payroll Clerk
George Harper.....	Chaplain
Pat Tyanich.....	Bill Clerk
Diann Fradett.....	Assistant Bill Clerk
Dennis Lester.....	Bills Coordinator
Shaun Devine.....	Assistant Bills Coordinator
Linda Barrett.....	Journal Clerk
Joyce Andrus.....	Assistant Journal Clerk
Virginia Broughton.....	Secretary to Speaker
Roberta Murphy.....	Secretary to Majority Leader
Mel McGuinn.....	Secretary to Minority Leader
Wanda McMillan.....	Chief Steno
Vickie Kroll.....	Assistant Chief Steno
JoAnn Jeide.....	Secretary
Pat Bauernfeind.....	Secretary
Linda Adams.....	Secretary

UNFINISHED BUSINESS

Patricia Romine	Secretary
Lauri Peterson	Secretary
Judy Mook	Secretary
Juanita Fontana	Secretary
Bessie Wong	Secretary
Emelia Satre	Secretary
Margaret J. Ellingwood	Secretary
Susan Hansen	Steno
Susan French	Steno
Laurie Levitan	Steno
Bonnie Warner	Steno
Josephine Lahti	Steno
Shirley Maltese	Steno
Patti Briese	Steno
Trudie Miller	Steno
Nancy Robison	Steno
Gladys Carpenter	Proofreader
Beulah Morris	Proofreader
Joyce Murphy	Proofreader
Teresa Tocher	Proofreader
Martha Herlevi	Proofreader
Charles Morgan	Doorman
Edmund Sheehy	Doorman
Larry Riley	Watchman
Timothy McKittrick	Watchman
Jack Carney	Information Officer
Edna Gunderson	Head Guide
Sandra Frank	Page
Blythe Nelson	Page
Jay Preston	Page
Fumi Shirasago	Page

EDLAND, Chairman

Report adopted.

January 8, 1974

Mr. Speaker: We, your Committee on Rules, having had under consideration House Resolution No. 44, respectfully report as follows: That House Resolution No. 44 be adopted.

FASBENDER, Chairman

Lucas moved as a substitute motion, that House Resolution No. 44 be not adopted.

Motion failed, 48 voting aye, 51 voting no.

Report adopted.

MOTIONS

Fasbender moved that House Bill No. 326 be taken from printing and re-referred to the Labor and Employment Relations Committee.

Motion carried.

Fasbender moved that the rules be temporarily suspended and House Resolution No. 44 be placed on Second Reading.

Motion carried.

McKittrick moved that House Bill No. 671 be taken from the Committee on Labor and Employment Relations and referred to Committee on State Administration.

Motion carried.

Hager moved that House Bill No. 601 be taken from the Committee on State Administration and be referred to Committee on Agriculture, Livestock and Irrigation.

Motion carried.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following bills were introduced, read first time and referred to committees:

House Bill No. 696, introduced by Bardanoue: A bill for an act entitled: "An act amending Section 84-1846, R.C.M. 1947, by redefining the word 'import' to include and mean the shipping or transporting into this state of any gasoline from a point or origin without this state, other than in the fuel supply of a motor vehicle, and redefining the word 'distributor' to include any person who imports gasoline for sale, use or distribution, other than a person who purchases such gasoline from a licensed distributor located outside of the state; and providing an effective date." Referred to Committee on Highways and Transportation.

House Bill No. 697, introduced by Bardanoue: A bill for an act entitled: "An act amending Section 84-1857, R.C.M. 1947, by placing the requirement for a surety bond on the basis of a yearly average; and providing an effective date." Referred to Committee on Highways and Transportation.

House Bill No. 698, introduced by Bardanoue: A bill for an act entitled: "An act revising the rules for the dissemination of proceedings of the legislature and amending Sections 43-901, 43-902, 43-903, and 43-904, R.C.M. 1947." Referred to Committee on Rules.

House Bill No. 699, introduced by Forsgren, Cox, Aageson, Kolstad, Barrett, Regan: A bill for an act entitled: "An act amending Section 75-6923, R.C.M. 1947, removing the one hundred seven percent (107%) limitation on the amount school trustees may propose in a general fund budget for operation and maintenance of a public school." Referred to Committee on Education.

House Bill No. 700, introduced by Select Committee on Gambling: A bill for an act entitled: "An act to limit, license, regulate and control gambling games and gaming devices; authorizing the Department of Revenue to administer the gambling laws; specifying its powers and duties; providing penalties for violation of the gambling laws." Referred to Select Committee on Gambling.

House Bill No. 701, introduced by Bardanoue: A bill for an act entitled: "An act appropriating money for the operation of the 43rd Legislature for the calendar year 1974; and providing an effective date." Referred to Committee on Finance and Claims.

House Bill No. 702, introduced by Lockrem: A bill for an act entitled: "An act amending Section 60-145, R.C.M. 1947, to allow sixty (60) days for filing crude oil production and natural gas production statements." Referred to Committee on Business and Industry.

House Resolution No. 45, introduced by Ulmer, Swanberg, Lucas, Tierney: A Resolution of the House of Representatives of the State of Montana directing the House Taxation Committee to commence investigation into the feasibility and value of a multistate tax approach to coal taxation. Referred to Committee on Taxation.

House Resolution No. 46, introduced by Hager, Bradley, Brand, Fasbender, Colberg, Swanberg, Haines, Fagg, Ainsworth: A Resolution of the House of Representatives of the State of Montana requesting Congress to undertake a comprehensive investigation of future transportation priorities, particularly as they affect Montana. Referred to Committee on Highways and Transportation.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Fasbender moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading.

Motion carried.

Yardley in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

January 8, 1974

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows: that House Resolution 44 be adopted. (51-45)

That the Committee rise and report.

YARDLEY, Chairman

Report adopted.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following bills were introduced, read first time and referred to committees:

House Bill No. 703, introduced by Lee: A bill for an act entitled: "An act providing for the licensing of certain card games; defining terms; prescribing the duties and powers of the Department of Revenue with regard to this act." Referred to Select Committee on Gambling.

House Bill No. 706, introduced by Brown: A bill for an act entitled: "An act concerning the establishment and operation of a state lottery; providing for its administration by the Department of Revenue; prescribing the functions, powers and duties of the department in respect to the state lottery; and providing for an effective date." Referred to Select Committee on Gambling.

House Bill No. 705, introduced by Ulmer: A bill for an act entitled: "An act making lawful the conducting of games of chance commonly known as bingo and raffles." Referred to Select Committee on Gambling.

House Bill No. 704, introduced by Hall: A bill for an act entitled: "An act appropriating three hundred fifty thousand dollars (\$350,000) for the establishment and operation of a state lottery; providing for repayment of the appropriation to the general fund; and providing an effective date." Referred to Committee on Finance and Claims.

UNFINISHED BUSINESS

December 27, 1973

TO THE HONORABLE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

Pursuant to Article V, Section 14 (3) of the 1972 Constitution of the State of Montana and pursuant to the Revised Codes of the State of Montana, 1947, the Montana Reapportionment Commission hereby respectfully submits its reapportionment plan for your consideration and recommendations.

Respectfully yours,
MONTANA REAPPORTIONMENT
COMMISSION

JOSEPH R. MARRA, Chairman
GLENN RUGG
WILLIAM S. MATHER
ELSIE T. MCGARVEY
PAT WILLIAMS

The Speaker referred the report to the Committee on Constitution, Elections and Federal Relations.

Without objection, the Speaker announced that House Bill No. 694 be taken from the Committee on Business and Industry and referred to Committee on State Administration.

Fasbender moved to stand in recess subject to the call of the Chair.

House recessed.

House resumed.

REPORTS OF SELECT COMMITTEES

January 8, 1974

Mr. Speaker: We, your Select Committee on Gambling, having had under consideration House Bill No. 700, respectfully report as follows: That House Bill No. 700 do pass.

LIEN, Chairman

January 8, 1974

Mr. Speaker: We, your Select Committee on Gambling, having had under consideration House Bill No. 703, respectfully report as follows: That House Bill No. 703 do pass.

LIEN, Chairman

January 8, 1974

Mr. Speaker: We, your Select Committee on Gambling, having had under consideration House Bill No. 705, respectfully report as follows: That House Bill No. 705 do pass.

LIEN, Chairman

January 8, 1974

Mr. Speaker: We, your Select Committee on Gambling, having had under consideration House Bill No. 706, respectfully report as follows: That House Bill No. 706 do pass.

LIEN, Chairman

Fasbender moved that the House adjourn until 1:00 p.m., January 9, 1974.

Motion carried.

House adjourned.

HAROLD E. GERKE, Speaker

EDWIN A. SMITH, Chief Clerk

THIRD LEGISLATIVE DAY

Helena, Montana
January 9, 1974

House Chambers
Capitol Building

House convened at 1:00 p.m., Mr. Speaker in the Chair.

Roll call. All members present except Burnett and Zimmer, excused.

Quorum present.

Mr. Speaker: We, your Committee on Bills and Journal, having examined the daily journal for the Second Legislative Day, find the same to be correct.

QUILICI, Chairman

Members of the Senate were admitted to the House.

Assembly being in joint session, Senate President Gordon McOmber, occupying the chair for the joint session, appointed the following committee to notify the Governor that the Senate and House of Representatives had convened in Joint Assembly and were ready to hear his message: Senator Manning, Chairman and Senator Moritz, and Representatives Bardanouve and Haines.

Posting of the Colors by staff from the Montana National Guard.

His Excellency, Thomas L. Judge, then appeared and was escorted to the rostrum.

Invocation by the Senate Chaplain.

Pledge of Allegiance to the Flag.

After being presented to the assembly by the President of the Senate, the Governor delivered his address:

The sun rose in Helena this January morning at 9:11—Mountain Daylight Time. Across Montana people were at work long before daylight. The lengthened shadow of a mid-winter night is a strange inconvenience, but it is also symbolic of the way the energy crisis will profoundly change the way we live.

Because of this crisis we stand at the beginning of a period of economic uncertainty—a period of confused expectations and fearful possibilities.

The shortage of energy has already damaged many segments of the national economy and the effects will become more severe and pervasive as the crisis continues. Economic analysts cannot accurately project the impacts of energy shortages on business and industry. Herbert Stein, Chairman of the President's Council of Economic Advisors, admits that the situation is "very difficult and speculative to forecast".

Optimistic projections anticipate increased unemployment, continued inflation and impeded production at levels that could result in a recession.

Pessimists are forecasting adverse economic impacts of extremely dangerous magnitude.

And the uncertainty manifest in this divergence of opinion threatens us all, from individual families to giant corporations.

The energy crisis that was so totally unexpected in the richest nation in the world is now a condition of life. Rather than whistling in the dark, we must accept it as a fact and deal with it realistically.

This year—1974—is a time for restraint—not careless promises.

It is a time for stability—not unnecessary experimentation.

More than anything, it is a time for conserving not wasting. And we intend to apply this type of practical and carefully considered approach in state government to minimize the effects of the energy crisis in Montana.

The condition of Montana's economy is a paradox. The energy crisis darkens the future, but the state has just completed a year of almost unprecedented economic productivity. Employment and earning levels were significantly higher than in corresponding periods of the previous fiscal year. Prices for agricultural products, particularly barley, wheat and corn, averaged nearly twice what they were in 1972. And last year for the first time in the state's history, cash receipts for the products of our farms and ranches exceeded one billion dollars.

This is a vast and remote state with a small and scattered population. In Montana, we have great distances between cities and towns; between producers and markets; between buyers and sellers; and between our shipping points and the rest of the commercial world. Any condition increasing the cost of transportation will adversely affect the competitive position of Montana products, whether it be coal, copper, lumber, agricultural commodities, or tourist services. Increased transportation costs will be added to the already inflated prices our consumers pay. Energy shortages may also restrict the productive capacities of Montana industries resulting in curtailments, layoffs and a general debilitation of the economy.

There is no question that the effects of the energy crisis will restrict and possibly reverse the economic expansion we achieved last year, but it is impossible to estimate the severity and dimension of this downturn. Although employment and tax collection data will provide some indications in a few months, we will be well into the year before we have adequate information to develop even a preliminary assessment of economic conditions in the state.

In these uncertain circumstances all of us—the legislature, the executive branch, Democrats and Republicans—must have the collective wisdom to understand the difference between necessity and expedience.

At the beginning of this fiscal year, Montana had a general fund balance in excess of \$18.2 million, resulting primarily from inflation, constructive fiscal and tax policies and the expansion of the economy. Since this surplus was first announced there has been considerable discussion regarding the disposition of these additional funds. Proposals ranging from substantial expansion of state programs to a variety of tax reduction measures have been presented. I believe it is absolutely essential to maintain a strong fiscal position and I would veto portions of my own program proposals if I thought it was necessary to protect an adequate contingency reserve.

The policy of my administration with respect to the present surplus and the balance anticipated at the close of the fiscal year is to reject the temptation to unnecessarily increase expenditures or to enact short-term tax relief. My fiscal proposals are based on the retention of a \$10.8 million balance at the end of the biennium. By maintaining this contingency reserve we will have a defense against the unpredictable economic effects of the energy crisis and we will not have established new and higher spending levels for the next biennium. This reserve representing less than 4 percent of the total general fund, is a margin of common sense protection that will allow us to enact meaningful property tax relief without having to return to the people a year from now with a tax increase.

While restraint is necessary to avoid the possibility of the state becoming financially overextended in the next biennium, we cannot accept a do nothing policy that ignores the serious needs of Montana at this time. And we will emphasize certain problem areas where it is essential that action be taken immediately.

We must alleviate the financial pressures on Montana property taxpayers for this and future years and equalize assessments as required by the new constitution.

There has been a great deal of discussion about reformation of the property tax laws of Montana in recent years and the legislature has acted to eliminate some of the inequities. These programs have not been adequate, however, to ease the continually increasing pressure on local property taxes.

In the last fiscal year, property taxation produced nearly \$200 million, 94 percent of which went for the support of local government, schools and special districts. The largest source of state revenue, the personal income tax, produced \$80 million in the same year. I believe it is time that property taxation be given the same attention that has been directed to assuring that the income tax is fairly and equitably applied.

This session, my administration will propose and actively support a package of four property tax reduction and reform bills. In the next few days, I will submit a Residential Tax Reform Act that will respond directly to the critical situation of low and middle income families and our retired citizens. The Residential Tax Reform Act will relieve the excessive pressure the property tax exerts on the financial security of these people.

If it is enacted each Montana family with an income of less than \$7,000 will be reimbursed for a portion of the costs property taxes add to maintaining a home. A percentage of the property taxes paid by these families will be returned by the state. The reimbursements will be based on a graduated scale.

A family with no taxable income will receive a reimbursement equalling 100 percent of property taxes paid. Those with incomes of \$3,500 will receive a 50 percent return and so on.

A provision is also included in the bill to assist families living in rental housing who are indirectly affected by property taxes.

To implement this program, I am requesting a general fund appropriation of \$7.2 million for fiscal year 1975. If the program is adopted by this assembly, the first payments will be made in July of this year as reimbursement for property taxes paid in taxable year 1973.

Montana has approximately 60,000 families that will qualify for some reimbursement under this program. Nearly half of these families are senior citizens, many of whom worked hard during their most productive years in order to own their own homes and retain sufficient savings to carry them comfortably through

their retirement years. The combination of constant inflation and unrestrained growth in property taxes, however, has had a devastating effect on these families, in many cases reducing what could have been a comfortable retirement to a desperate struggle against poverty. We cannot do a great deal about inflation, but we can do something about the property tax situation. The Residential Tax Reform Act I am proposing is an important reform measure that will provide immediate and meaningful tax relief to those who need it most in our state and give more people the opportunity to live in decent housing at a reasonable cost. I strongly urge that you enact this legislation.

Three administration proposals which will come before the legislature in the next few days are designed to provide general property tax relief to the citizens of the state. One of these measures proposes that the state assume the county share of the cost of Medicaid. This measure, if enacted, would require a \$3,500,000 general fund appropriation and would result in an average 3.5 mill reduction in property taxes at the county level.

A second measure proposes that the state property valuation program be supported by the general fund rather than the present 3 mill state property tax levy. This will require an appropriation of \$3 million and will result in a property tax reduction of approximately 3 mills each year, beginning in fiscal year 1975. If this measure is approved, the state property tax will be used exclusively for education. And I urge passage of legislation authorizing a vote on a proposed constitutional amendment to restrict the state from levying property taxes for any purposes other than emergencies and the support of education now and in the future.

The third general relief measure proposes the annual transfer of surplus public school earmarked revenue funds to the state public school permissive levy account. This will reduce the statewide property tax required to fund the permissive levy deficiency. It will have the effect of automatically returning to the taxpayer, in the form of property tax relief, a portion of any unanticipated revenues realized from personal and corporation income taxes, coal, oil and gas royalties, interest and income earnings and surplus basic county mill levies. The immediate effect would be to reduce the statewide levy for the public school permissive deficiency by over \$8 million in fiscal year 1975. That will mean a property tax levy reduction of approximately 8 mills for each and every property taxpayer in Montana.

The cumulative effect of these three proposals will be to provide relief amounting to between 12 and 15 mills for each property taxpayer in the state in the next two fiscal years. Depending on collections from public school earmarked revenue sources, relief in subsequent years will average between 7 and 10 mills.

The Residential Tax Reform Act and general measures proposed by my administration will lead to property tax relief totalling approximately \$22 million during fiscal year 1975. More importantly, if enacted, they will establish a long range pattern for property tax equity and reform that will ease and in some instances, reverse the regressive trends that have come to characterize property taxation in Montana over the past several years.

The property tax reduction and reform measures we are introducing this session are a continuation of our effort to establish the most reasonable and equitable structure of taxation possible in this state. Last year we reduced the income tax surcharge from 40 percent to 10 percent, resulting in a total tax saving of \$34 million. We increased and fully funded the schedules of the school foundation program, providing direct property tax relief of \$20.25 million to local districts. And combined with the proposed reductions this year, this amounts to total tax relief of \$76.25 million for the funding period.

The last session also reformed the primary and secondary school funding procedures to equalize assessments between districts and this resulted in lower property taxes for seven out of every ten homeowners in the state.

Continual modification and improvement is necessary to assure that our tax programs are equitably applied. I believe a computerized residential property mass appraisal system would eliminate the discrepancies in appraisal and assessment that have been documented in a recent study conducted by the Department of Revenue. While the ratio of the assessed value of residential property to the market value should be 40 percent, average ratios for the 56 counties of the state vary

from 20 to nearly 60 percent. Preliminary analytical results indicate that in nearly every county in the state low-priced residential property is assessed at a higher percent of market value. And equity in the property tax system is essential to establish trust among the people who pay the levies. Every Montanan should pay his fair share, but not one dollar more.

Mass appraisal, similar to the system we are proposing, has proved effective in other states. And a pilot study conducted by the Department of Revenue in Gallatin County indicates that mass appraisal is superior in every respect to present manual methods.

The new constitution requires that the state appraise, assess and equalize the valuation of all taxable property in Montana, and to achieve this objective, I recommend that the legislature appropriate approximately \$250,000 for the remainder of this fiscal year and nearly \$700,000 in fiscal year 1975 to fund the research, development and implementation of a residential property mass appraisal system.

During the past four years, remarkable progress was made to reform and modernize the state government. The results in increased efficiency and economy are already obvious.

We must now turn our attention toward local government.

The new constitution provides an exciting opportunity to improve local government. Many of the options available are neither familiar to the citizens of Montana, nor are they wholly consistent with existing statutes which govern local government at the present time. Because of the importance of local government to every citizen of the state, I feel strongly that prior to the time that local electorates have to make their respective selections of local governmental forms in 1976, it is essential that a comprehensive body of information be developed and disseminated relating to possible structures, powers, duties and methods of finance. It is equally essential that before 1976 an attempt be made to revise the existing scattered body of local government law into a unified collection of statutes which are consistent with the options set forth in the new constitution. To accomplish these objectives, I am proposing the creation of a Local Government Modernization Commission to begin work immediately, and I am requesting an appropriation of \$50,000 for fiscal year 1974 and \$150,000 for fiscal year 1975 to fund the operations of the commission.

This legislature has an opportunity and a responsibility to meet the challenge of providing Montana citizens with modern, efficient, and economical local government. The decade of the "70's" should be remembered in Montana history as the "Decade of Local Government".

State government has a responsibility to do everything possible to expand Montana's economy, develop new markets for our products and broaden the tax base.

To achieve this objective we have developed a partnership between government and the private sector of the economy. We have assembled leaders of Montana business, agriculture, industry, finance and labor to assist us in this creative partnership. These men and women serve on various committees to expand our markets abroad, promote tourism and industrial development, encourage energy conservation and assist with our fuel allocation program.

We are a state heavily dependent on markets elsewhere in this country and abroad. Approximately sixty percent of our wheat is sold overseas. The removal of federal acreage limitations and increased production capacity could mean a return to high surpluses and low prices without a strong overseas demand for our wheat and barley.

The Foreign Trade Potential Committee will develop the information necessary for Montana producers to take better advantage of expanding opportunities in international markets. Increased foreign export offers a definite possibility of improving the state economy. It is essential that we inventory products suitable for export, locate markets, improve transportation arrangements, and apply innovative new approaches in foreign commerce.

I am recommending an appropriation of \$127,600 for 18 months to fund this

study, which will also receive financial assistance from the private sector to accomplish its objectives.

The benefits of improved management are apparent in the new efficiency and responsiveness of government, and they can be calculated quantitatively as a portion of our present general fund balance. I propose that we maintain our commitment to sound management by fully funding the Government Operations Unit for the next fiscal year.

This agency, which is responsible for evaluating organizational structure and management practices and providing research and planning for executive agencies, was dependent upon the federal government for two-thirds of its support. Due to congressional action, however, federal support of the program has been terminated, and I recommend a general fund appropriation of \$72,000 to continue the efforts of the Government Operations Unit.

Good management is the difference between a government that promises and one that performs—the difference between persistent problems and solutions and the difference between supplementals and surpluses.

In the past four years, state government has made a dramatic improvement in operational efficiency. Executive reorganization and the continuing application of sound administrative procedures have provided Montana taxpayers with a better return of their investment in state government.

The Government Operations Unit is an effective and logical extension of the executive reorganization program. A recently completed report on the Boulder River School could save the state approximately \$2 million if the recommendations are implemented.

It is the first of several reports on management and programs that the Government Operations Unit will publish concerning the Department of Institutions. Other reports will concern cost considerations and alternatives for the laundry services which will be required by that department in the future, an analysis of the Department's Reimbursements Division, and a management and program analysis of the Warm Springs State Hospital. It is presently estimated that a centralized laundry service could lead to savings exceeding \$400,000 a year, while possible savings at Warm Springs could approach \$2 million in Medicaid reimbursements.

The savings from improved operational efficiency are state revenues that do not come out of the taxpayer's pocket. This is the most obvious and reasonable form of tax relief, and for this reason my administration is committed to continually improve the management of state government.

I am requesting approval of a new consolidated laundry facility for the Boulder River School and Hospital and the Warm Springs Hospital. The existing laundry facilities at these two institutions are excessively costly and inefficient and represent a health hazard to employees and patients. The Hospital and Medical Facilities Division of the Department of Health and Environmental Sciences has declared that neither of the existing facilities meets standards. Failure to meet health standards, if continued, will almost certainly mean loss of Medicare certification, which could cost the state between \$2 million and \$3 million a year in Medicare/Medicaid payments. I am, therefore, proposing that a consolidated laundry facility serving both institutions be constructed, and that an appropriation of \$1.1 million for fiscal year 1975 be made by the legislature for that purpose.

The Office of the Citizen's Advocate has provided government with a very effective method of communicating with people and identifying and solving problems. Last year, the Citizen's Advocate responded to approximately 1,200 letters, between 4,000 and 5,000 telephone calls, and nearly 500 in-person visits. In most of these instances people were provided with the information or assistance they requested. I recommend an appropriation of \$72,600 to continue the operation of the Office of the Citizen's Advocate in the interests of accessible and responsive state government.

I support the concept of utilizing a portion of the profits from the state liquor monopoly to improve rehabilitation services for alcoholics. Many Montanans are afflicted with drinking problems and the state has an obligation to help people escape the oppression of this disease.

I also believe we have an obligation to the Montanans who served in the bitter conflict in Southeast Asia. The courage and honor of these men is in danger of being forgotten in our collective haste to purge all memory of this war. And a Vietnam honorarium, which has been granted veterans of this conflict by many other states, is entirely appropriate and justified in Montana.

The rapid rate of inflation has outpaced the ability of the majority of our state workers to take home a decent wage. This could not be foreseen when the legislature last met a year ago, and provided for five percent wage increases for each of the two years of the biennium.

In an effort to mitigate some of the adverse effects of inflation on state employees—particularly those at the middle and lower income levels—I am requesting the legislature to authorize the five percent wage increase, scheduled to go into effect July 1 of this year, be moved ahead to become retroactive to January 1, 1974. The additional cost has been included in the budget. If this request is approved, I will request department directors to examine the needs of all employees and make appropriate adjustments in wages. Clearly, this nation's spiraling rate of inflation and the rapid increase in the cost of living has had serious consequences for our lower-paid employees.

There are only two supplemental appropriations recommended in my budget message. They are intended to cover emergency situations.

I recommend the appropriation of \$880,000 to cover the cost of the state's efforts in the emergency forest fire situation last summer and \$31,000 to administer the Fuel Allocation Program in the Civil Defense Agency.

Other appropriations included in the budget message are intended to maintain current program levels in response to unanticipated funding situations. These appropriations are based on three criteria. In some instances, such as the Government Operations Unit budget, it will be necessary to appropriate additional funds to offset the withdrawal of federal support. Funds are requested for programs that were established by the legislature without appropriation. These include the Personnel Division and the Board of Personnel Appeals that have been established but not funded. And appropriations are required to cover unanticipated program demands, such as funds required to enable our state institutions to meet federal standards for Medicare and Medicaid.

This budget message is a statement of my belief that, at this time, we must maintain a position of fiscal restraint and executive responsibility to assure that necessary programs are not jeopardized by economic conditions beyond our control. It is a minimal refinement of the budget enacted by the 1973 Legislature, that has only been in effect for six months, and it represents my belief that we must do everything possible to avoid a gradual conversion to annual budgeting.

The program I am advocating is not a fabrication of vague possibilities, assembled by dreamers and supported by nothing more than promises.

It is a practical and affirmative response to the needs of this state at a time when too many questions have not been answered.

It will provide \$22 million in relief to Montana homeowners, farmers and businessmen, and significantly reform our property tax system.

It will fund essential programs at adequate levels.

It will respond to unanticipated emergency situations.

It will initiate a new era of local government modernization.

It will promote the expansion of new markets for Montana products.

It will encourage a better partnership between public and private interests.

And it will maintain a \$10.8 million contingency reserve to give us the capability to respond to economic dislocations resulting from the energy crisis.

If my fiscal program is followed and economic conditions stabilize, Montanans can look forward to continued property tax relief and no increase in the individual or corporate income tax at least through 1980.

President John F. Kennedy once said, "Let us resolve to be the masters not the victims of our history, controlling our own destiny without giving way to blind suspicion and emotion." After more than ten turbulent years, these words continue to have the unmistakable sound of the truth. In Montana, we have the opportunity to be the masters not the victims of our history. We have the ability and sense of purpose to maintain reasonable levels of taxation, to protect our priceless environment, to improve the economy, to assure the public health and safety, to educate our children, to help the disadvantaged, and to provide the type of government our people expect and deserve.

While we must acknowledge and encourage differences of opinion, we must remember that our efforts during this legislative session have a common purpose. We have accepted the responsibility to govern this state. We have accepted it under various banners and labels from different constituencies and for individual reasons. But there is no label that means more than Montana, no constituency greater than the public interest, and no reason better than what is right. If we remember and apply these principles, we will not subject the people of this state to a futile exercise in partisan politics characterized by inconclusive debate and wasteful delay.

If we have the wisdom in the next 60 days to put the consequences of tomorrow ahead of the inclinations of today, Montanans will have reason to believe in their government.

Benediction was given by the House Chaplain.

The Governor having been escorted from the chamber, it was moved by Senator Lynch that 1,000 copies of the Governor's message be printed and distributed to the Legislators, state officials and others. Motion carried.

It was moved by Senator Lynch that the joint assembly be dissolved and that the members of the Senate return to the Senate Chambers.

The joint assembly having been dissolved, the House resumed business at 2:20 p.m.

Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

January 9, 1974

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 224, respectfully report as follows: That House Bill No. 224 do pass.

HALL, Chairman

Report adopted.

MOTIONS

McKittrick moved that House Bill No. 345 be taken from the Committee on Labor and Employment Relations and referred to the Committee on State Administration.

Motion carried.

Hall moved that House Resolution No. 38 be taken from the Committee on Judiciary and referred to the Committee on Rules.

Motion carried.

Hall moved that House Bill No. 623 be taken from the Committee on Judiciary and referred to the Committee on Fish and Game.

Motion carried.

Towe moved that House Bill No. 686 be taken from the Committee on Local Government and referred to the Committee on Judiciary.

Motion carried.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following bills were introduced, read first time and referred to committees:

House Bill No. 707, introduced by Healy, Mehrens, Menahan, Flynn, Brand, Holtz, Staigmiller, Johnston, Lee, Holmes, Lockrem, Hall, Yardley, Quilici, Lynch, Lombardi, Tierney, Gerke, R. Harper: A bill for an act entitled: "An act to amend Section 25-309, R.C.M. 1947, by raising the maximum salary allowed constables in townships having a population of more than twenty thousand (20,000) people to six thousand dollars (\$6,000)." Referred to Committee on Local Government.

House Bill No. 708, introduced by Bradley, Ulmer: A bill for an act entitled: "An act authorizing the amendment of existing beer retailers' licenses to beer-and-wine licenses when the licensee operates a restaurant or grocery." Referred to Committee on Business and Industry.

House Bill No. 709, introduced by Bradley, Murphy: A bill for an act entitled: "An act amending Section 23-3606, R.C.M. 1947, by providing that electors may vote for persons not on the ballot by writing in their name only and need not place an 'X' next to a written-in name for their vote to be valid." Referred to Committee on Constitution, Elections, and Federal Relations.

House Bill No. 710, introduced by Lynch, Healy, Tierney, Regan, Flynn, Menahan, Lombardi, Quilici, Lee: A bill for an act entitled: "An act requiring standards for access to buildings open to the public by the physically handicapped as a part of the State Building Code." Referred to Committee on Business and Industry.

House Bill No. 711, introduced by Roberts: A bill for an act entitled: "An act limiting each side to two (2) peremptory challenges when a misdemeanor is tried before a six (6) person jury in district court; and amending Section 95-1909, R.C.M. 1947." Referred to Committee on Judiciary.

House Bill No. 712, introduced by Regan, Haines, Greely, Warfield, Driscoll, Olson: A bill for an act entitled: "An act eliminating the quota system for allotting retail liquor licenses, and amending Section 4-403, R.C.M. 1947." Referred to Committee on Business and Industry.

House Bill No. 713, introduced by Brand, Driscoll, Lee, Kimble: A bill for an act entitled: "An act amending Section 75-8503, R.C.M. 1947, allowing students to use their dormitory rooms for up to one week following final examinations; and to provide an effective date." Referred to Committee on Education.

House Bill No. 714, introduced by Galt, Walborn, Schye, Rolfe, Burnett, Hubing, Fleming, Clemow, Manuel, Stephens: A bill for an act entitled: "An act amending Section 26-104.6, R.C.M. 1947, to require county approval for land acquisitions by the Fish and Game commission." Referred to Committee on Fish and Game.

House Bill No. 715, introduced by Brand, Prevost, Walborn, Galt, Fagg: A bill for an act entitled: "An act amending Section 46-701, R.C.M. 1947, to require the stock inspectors and detectives hired by the Board of Livestock to pass a qualifying examination; and providing an effective date." Referred to Committee on Agriculture, Livestock and Irrigation.

House Bill No. 716, introduced by Brand, McKittrick: A bill for an act entitled: "An act amending Section 53-438, R.C.M. 1947, to provide that a motor vehicle insurance premium may not be increased during the term of the policy." Referred to Committee on Business and Industry.

House Bill No. 717, introduced by Bradley, Regan, Holmes, Stoltz, Castles, Bennetts: A bill for an act entitled: "An act amending Section 83-303, R.C.M. 1947, to delete the subsection providing that the residence of the husband is presumptively the residence of the wife." Referred to Committee on Judiciary.

House Bill No. 718, introduced by Kendall, Schye, Baeth, Shelden: A bill for an act entitled: "An act requiring a space of at least twenty (20) feet between mobile homes and similar dwellings; and providing a penalty." Referred to Committee on Local Government.

House Bill No. 719, introduced by Greely, Swanberg, H. Harper, Lucas, Roberts: A bill for an act entitled: "An act to implement Article II, Section 8 of the 1972

Constitution by providing guidelines for citizen participation in the operations of government agencies." Referred to Committee on Constitution, Elections, and Federal Relations.

House Bill No. 720, introduced by Greely, H. Harper, Roberts: A bill for an act entitled: "An act to implement Section 9, Article II of the 1972 Montana Constitution to assure that no person shall be deprived of the right to observe the deliberations of all public bodies, except in cases in which the demand of individual privacy clearly exceeds the merits of public disclosure; and repealing Sections 75-6127 and 82-3402, R.C.M. 1947." Referred to Committee on Constitution, Elections, and Federal Relations.

House Bill No. 721, introduced by Greely, H. Harper, Roberts: A bill for an act entitled: "An act to implement Section 9, Article II of the 1972 Montana Constitution to assure that no person shall be deprived of the right to examine documents of all public bodies, except in cases involving individual privacy; and repealing Sections 3-709, 3-1715, 3-1721, 5-705, 5-1012, 7-147, 10-703, 32-1213, 32-1215, 32-3925, 36-203, 40-3660, 40-5511, 40-5515, 41-803, 48-139, 50-1221, 60-144, 61-213, 69-3918, 69-4115, 69-4219, 69-4610, 69-4822, 69-5218, 69-6301, 69-6303, 71-406, 71-506, 71-607, 71-1207, 71-1403, 71-1520, 71-1523, 84-3406, 84-6701, 87-124, 92-809, 92-1348, 94-9824 and 95-2205, R.C.M. 1947." Referred to Committee on Constitution, Elections, and Federal Relations.

House Bill No. 722, introduced by Towe, Huennekens, Bradley, Brand, R. Harper, Hodges: A bill for an act entitled: "An act to require persons engaged in the profession of mortuary science or funeral directing to disclose to persons seeking their services the conditions under which embalming is required, the least expensive methods of providing services and related objects and the individual cost of items in any packaged deal." Referred to Committee on Public Health, Welfare, and Safety.

House Bill No. 723, introduced by Barrett, Burnett, Asbjornson, Tierney, Cox, Gunderson, Warfield, Cotton, Marks: A bill for an act entitled: "An act increasing the ceiling on bonded indebtedness for school districts, and amending Section 75-7104, R.C.M. 1947." Referred to Committee on Education.

House Bill No. 724, introduced by R. Harper (by request): A bill for an act entitled: "An act limiting the number of nonresident big game hunting licenses to eight thousand (8,000) per year and providing for the issuance of such licenses; eliminating the nonresident deer and antelope licenses, and amending Section 26-202.1, R.C.M. 1947." Referred to Committee on Fish and Game.

House Bill No. 725, introduced by Bardanoue: A bill for an act entitled: "An act amending Section 84-1855 to require dealers selling refundable gasoline to obtain a license from the Department of Revenue prior to selling gasoline on which a refund may be claimed and to delete the present limit on refund applications." Referred to Committee on State Administration.

House Bill No. 726, introduced by Bardanoue: A bill for an act entitled: "An act permitting political subdivisions to seek the advice of the Department of Administration, the Attorney General and the county attorney in preparing and negotiating general obligation bond issues, and prescribing the conditions and circumstances under which political subdivisions may pay attorney's fees and brokerage fees or commissions to anyone assisting in preparation or sale of a bond issue; and amending Sections 16-3101 and 82-411, R.C.M. 1947." Referred to Committee on State Administration.

House Bill No. 727, introduced by Bardanoue: A bill for an act entitled: "An act amending the permit and compensation provisions of the outdoor advertising control law, amending Sections 32-4720 and 32-4723, R.C.M. 1947, and deleting the provisions regarding relaxation of federal standards, repealing Section 32-4726, R.C.M. 1947." Referred to Committee on Business and Industry.

House Bill No. 728, introduced by Watt, Cox, Mehrens, Fagg, Stephens: A bill for an act entitled: "An act to save wood for more necessary uses by ending its wasteful use as milk cartons; and requiring that all milk be sold in non-wood product containers which are reusable and/or recyclable." Referred to Committee on Natural Resources.

House Bill No. 729, introduced by Hall: A bill for an act entitled: "An act appropriating two million dollars (\$2,000,000) from the general fund to the Department of Revenue for the purpose of administering the gambling laws; and providing an effective date." Referred to Committee on Finance and Claims.

House Bill No. 730, introduced by Haines, Greely: A bill for an act entitled: "An act to provide that mileage signs on highways in Montana specify distance in miles and kilometers; and providing an effective date." Referred to Committee on Highways and Transportation.

House Joint Resolution No. 43, introduced by Bradley, Brand, Watt, Huennekens, Towe: A Joint Resolution of the Senate and the House of Representatives of the State of Montana repealing rule 16.-2.6(6)-S6050 of the Montana Administrative Code, concerning the transportation of dead bodies; and providing an effective date. Referred to Committee on Highways and Transportation.

House Resolution No. 47, introduced by Kendall, Schye, Glennen, Prevost, Shelden, Baeth: A Resolution of the House of Representatives of the State of Montana directing the Legislative Council to determine effective and equitable methods of limiting the number of bills which can be introduced at one session of the legislature. Referred to Committee on Rules.

Fasbender moved that the House recess subject to the call of the Chair.

House recessed.

House resumed.

Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

January 9, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill correctly printed: HB 700.

QUILICI, Chairman

MESSAGES FROM THE OTHER HOUSE

January 9, 1974

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Senate Bill and Senate Joint Resolution were this day read third time, and passed, title and history agreed to and the bill and resolution are herewith transmitted to the House for concurrence:

Senate Bill No. 511, introduced by Bollinger

Senate Joint Resolution No. 41, introduced by Joint Rules Committee

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following bills were introduced, read first time and referred to committees:

House Bill No. 746, introduced by Bardanouve and Fleming: A bill for an act entitled: "An act to appropriate moneys to various state agencies for the biennium ending June 30, 1975; and providing for other matters relating to the appropriations." Referred to Committee on Finance and Claims.

House Bill No. 747, introduced by Bardanouve and Laas: A bill for an act entitled: "An act to appropriate moneys to various state agencies for the biennium ending June 30, 1975; and providing for other matters relating to the appropriations." Referred to Committee on Finance and Claims.

House Bill No. 748, introduced by Bardanouve and Kosena: A bill for an act entitled: "An act to appropriate moneys to various state agencies for the biennium ending June 30, 1975; and providing for other matters relating to the appropriations." Referred to Committee on Finance and Claims.

Senate Bill No. 511, introduced by Bollinger: A bill for an act entitled: "An act appropriating money for the operation of the Second Session of the Forty-third Legislature; and specifying an immediate effective date." Referred to Committee on Finance and Claims.

Senate Joint Resolution No. 41, introduced by Joint Rules Committee: A Joint Resolution of the Senate and the House of Representatives of the State of Montana to adopt joint rules to govern its proceedings. Referred to Committee on Rules.

Fasbender moved that the House adjourn until 1:30 p.m., January 10, 1974.

Motion carried.

House adjourned.

HAROLD E. GERKE, Speaker

EDWIN A. SMITH, Chief Clerk

FOURTH LEGISLATIVE DAY

Helena, Montana
January 10, 1974

House Chambers
Capitol Building

House convened at 1:30 p.m., Mr. Speaker in the Chair.

Invocation by the Chaplain.

Pledge of Allegiance to the Flag.

Roll call. All members present except Zimmer, Lockrem and Burnett, all excused.

Quorum present.

Mr. Speaker: We, your Committee on Bills and Journal, having examined the daily journal for the Third Legislative Day, find the same to be correct.

QUILICI, Chairman

REPORTS OF STANDING COMMITTEES

January 9, 1974
reported Jan. 10-74

Mr. Chairman: We, your Committee on Bills, beg leave to report the following bills printed: HB 703, 705, 706.

QUILICI, Chairman

January 10, 1974

Mr. Chairman: We, your Committee on Bills, beg leave to report the following bill printed: HB 224

JOE QUILICI, Chairman

January 10, 1974

Mr. Speaker: We, your Committee on Finance and Claims, having had under consideration Senate Bill No. 511, respectfully report as follows: That Senate Bill No. 511 be concurred in.

BARDANOUE, Chairman

Report adopted.

January 10, 1974

Mr. Speaker: We, your Committee on Rules, having had under consideration Senate Joint Resolution No. 41, respectfully report as follows: That Senate Joint Resolution No. 41 be amended by deleting the words "any member" on line 5, page 16 and inserting in lieu thereof the following words: "A member who voted on the prevailing side of a question", and as amended be concurred in.

FASBENDER, Chairman

Report adopted.

January 10, 1974

Mr. Speaker: We, your Committee on Education, having had under consideration House Resolution No. 40, respectfully report as follows: That House Resolution No. 40 do not pass.

GUNDERSON, Chairman

January 10, 1974

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 336, respectfully report as follows: That House Bill No. 336 do not pass.

GUNDERSON, Chairman

January 10, 1974

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 195, respectfully report as follows: That House Bill No. 195 do not pass.

GUNDERSON, Chairman

January 7, 1974

Mr. Speaker: We, the majority of the Conference Committee on Gambling, having had under consideration House Bill No. 507, respectfully report as follows: That House Bill No. 507 do not pass.

McGOWAN, Senate Chairman
HALL, House Chairman

REPORTS OF SELECT COMMITTEES

Mr. Speaker: We, your Select Committee on Gambling, having had under consideration House Bill No. 507, respectfully report as follows:

MINORITY REPORT

A minority of the Select Committee on Gambling recommends that House Bill No. 507 do pass as amended and that it be amended as follows:

Amend the title of the introduced bill, page 1, line 5, by omitting the words "creating the Montana Gaming Control Board" and inserting in lieu thereof the words "empowering the Department of Revenue to enforce this act";

further amend the title, page 1, line 6, following the word "for" by omitting the words "classes of";

further amend the title, page 1, line 7, following the word "taxes" by inserting the following new material: "for punchboards, sports pools, slot machines and coin-operated machines";

further amend the title, page 1, lines 7 through 9, by omitting the words and punctuation "providing for the collection and disposition of license fees and taxes: providing for local option elections"; and further amend the title, page 1, line 9, following the word "penalties" by inserting the following new material: "as set forth in the Montana Gaming Control Act".

Further amend by omitting all material following the enacting clause and inserting in lieu thereof the following new material:

"Section 1. Short title. This act may be cited as the 'Montana Gambling Games Act'.

Section 2. Definitions. As used in this act and unless the context otherwise requires, the following terms and phrases shall have the following meanings:

- (1) "Department" means the department of revenue.
- (2) "Insignia" means the stamp or other device which identifies a punchboard as having been properly purchased from a licensed manufacturer by the state of Montana and purchased from the state of Montana by a licensed retailer. The insignia shall be affixed to or incorporated into the punchboard in such a way that it cannot be removed, obliterated or altered.
- (3) "Licensed manufacturer" means any person or corporation which is engaged in the manufacture of authorized gaming devices under the provisions of this act.
- (4) "Licensed distributor" means any person or corporation which is engaged in the distribution of authorized gaming devices under the provisions of this act.
- (5) "Licensed retailer" means any person who is engaged in the business of selling chances on punchboards and sports pools, of conducting or permitting to be carried on games of poker, or of offering for sale chances on slot machines and coin-operated machines and is licensed under the provisions of this act. A licensed retailer shall purchase each punchboard on which he sells chances from the state of Montana. The requirements for "licensees" under the Montana Gaming Control Act apply to licensed retailers under this act.
- (6) "Person" means a natural person or partnership composed of natural persons.
- (7) "Punchboard" means any board which contains numbered punches and is played by the insertion of a peg to remove the punches and for which money or other consideration is paid to win a prize consisting of money, merchandise, or other items of value. For purposes of regulation under the Montana Gaming Control Act, a punchboard is a gaming device within the meaning of that act.
- (8) "Sports pools" means a card divided into squares or spaces with the names of the participants in the pool written within such squares or spaces, for which consideration in money is paid by the person playing for each square or space for the chance to win money or other items of value on any sports event wherein the participants in such sports event are natural persons or animals. The card used for recording the pool and upon which the squares or spaces appear shall clearly state in advance of the sale of any chances the number of chances to be sold in that specific pool, the consideration to be paid for each chance and the total amount to be paid to the winners. The card shall have the name of the event.

Alternate (8). "Sports pools" means a card divided into squares or spaces for which a consideration in money is paid by the person playing for each square or space for the chance to win money or other items of value on any baseball, football, basketball game or horse race; or other pool wherein for a money consideration the person playing by chance or selection attempts to pick the winning teams or participants in any sports event involving natural persons or animals for the chance to win money or other items of value.
- (9) "Poker" means any of the card games commonly known as poker. The department of revenue shall promulgate rules and regulations defining poker according to accepted rules of play. In any controversy concerning the designation of a particular card game as a game of poker, the department shall determine whether the particular card game as it is or was played is a game of poker.
- (10) "Slot machine" means any mechanical or electrical device commonly known as a slot machine containing three (3) or more rotating wheels, which, upon the insertion of a coin therein is available to play or operate, the play or operation of which may deliver to the person playing or operating the machine cash or other representations of value, for purposes of regulation under the Montana Gaming Control Act, a slot machine is a gaming device within the meaning of that act.
- (11) "Coin-operated machine" means any mechanical, electrical, electronic, or

other device, contrivance or machine with player appeal which, upon insertion of a coin, token, or similar object therein, or upon payment of any consideration whatsoever, is available to play or operate, the play or operation of which, whether by reason of the skill of the operator or application of the element of chance, or both, may deliver or entitle the person playing or operating the machine to receive cash, premiums, merchandise, tokens or anything of value whatsoever, other than free plays, whether the payoff is made automatically from the machine or in any other manner whatsoever, and does not include what is commonly known as slot machines which contain three (3) or more rotating wheels, whether operated mechanically or electronically. For purposes of regulation under the Montana Gaming Control Act, a coin-operated machine is a gaming device within the meaning of that act.

Section 3. Sports pools and punchboards — licenses and fees. (1) The department of revenue is hereby empowered to issue to qualified persons and corporations licenses for the manufacture of punchboards and licenses to qualified persons for the retail selling of chances on punchboards and sports pools.

(2) The license for the manufacture of punchboards entitles the licensed manufacturer to manufacture punchboards according to the specifications required by the department and to sell its manufactured punchboards to the state of Montana. The department shall act for the state in purchasing punchboards from licensed manufacturers. The annual fee for this license is five hundred dollars (\$500) or a pro rata share thereof as provided in the Montana Gaming Control Act.

(3) The license for the retail selling of chances on punchboards and sports pools entitles the licensed retailer to purchase punchboards from the state of Montana and to sell chances on punchboards and sports pools. The annual fee for this license is two hundred fifty dollars (\$250) or a pro rata share thereof as provided in the Montana Gaming Control Act. A license may be issued for sports pools only, and the annual fee for this license is ten dollars (\$10).

Section 4. Manufacture of punchboards. (1) All punchboards distributed for use in Montana must be manufactured by a licensed manufacturer.

(2) A licensed manufacturer may sell or distribute punchboards only to the state for resale by the department and may not engage in the retail market.

Section 5. Proper loading of punchboards; department to determine. (1) The department shall determine that all boards have been properly loaded with punch inserts containing all winning numbers or symbols with no holdouts and that the winning numbers or symbols are so arranged by chance as to preclude any knowledge of their location on the board.

(2) The department shall require of each manufacturer who sells punchboards to the state of Montana a verification under oath that the punchboards purchased by the state of Montana meet the requirements of subsection (1) of this section.

Section 6. Punchboards to show price of chance. Each punchboard will be impregnated by the manufacturer on all vertical sides with a continuous printing of a declaration of consideration that the patron is required to pay for each punch exceeding fifty cents (\$.50).

Section 7. Punchboards distributed through state liquor stores. (1) The department of revenue shall purchase punchboards only from licensed manufacturers. Punchboards purchased by the state shall be available for sale to licensed retailers through the state liquor stores. No punchboard shall be a legal punchboard unless it is purchased directly from a state liquor store by the licensed retailer who actually sells the chances on such punchboard.

(2) The price of a punchboard sold to a licensed retailer shall be the actual cost to the department of purchasing the board together with the additional sum of ten percent (10%) of the total gross proceeds of the board. The total gross proceeds shall be determined by multiplying the cost charged for each individual chance or play times the total number of chances or plays in the punchboard.

Section 8. (1) Each punchboard sold to a licensed retailer shall carry an insignia identifying the punchboard as having been properly purchased from a licensed manufacturer by the state of Montana and purchased from the state by a licensed

retailer. The insignia shall be affixed to each punchboard by the department. The insignia shall be affixed to or incorporated into the punchboard in such a way that it cannot be removed, altered or obliterated.

(2) All punchboards without the required insignia affixed may only be transported into or out of the state by common carrier or United States mail.

Section 9. Alteration of punchboards prohibited. (1) Anyone who wilfully removes, alters or obliterates an insignia affixed to a punchboard as prescribed by this act is guilty of a felony and shall be subject upon conviction to imprisonment for not more than one (1) year or a fine of not more than one thousand dollars (\$1,000), or both.

(2) Anyone who sells a chance on a punchboard with a removed, altered or obliterated insignia is guilty of a misdemeanor.

Section 10. Sale or purchase of punchboard key prohibited. Anyone who sells or purchases a key to any punchboard identifying the location of any numbers or symbols within the board is guilty of a felony and upon conviction is subject to a term of imprisonment not to exceed one (1) year or a fine not to exceed five thousand dollars (\$5,000) or both.

Section 11. Legal sports pool; determination; restrictions. No sports pool shall be a legal pool unless it is conducted by a licensed retailer and conforms to the definition set forth in section 2(8). The department of revenue shall decide in a particular case if the game of chance being conducted is in fact a sports pool as defined by this act. No chance to participate in a sports pool may be sold other than upon the premises for which the license to conduct the sports pool is issued.

Section 12. Poker; license fees. The department of revenue is empowered to issue to qualified persons licenses entitling them to conduct games of poker or to offer for hire tables at which games of poker may be played. The fee for this license is two hundred fifty dollars (\$250). If the holder of a license under this section already holds a license to conduct or to offer tables for the playing of card games authorized under any other gambling law, no fee under this section shall be required.

Section 13. Poker; table licenses. (1) In addition to the license provided for in section 12, the following annual license fees shall be paid:

(a) The sum of one hundred dollars (\$100) per year for each card table on which poker games are played for money or any item of value and where the poker games are dealt by the licensed retailer or his employees or where the licensed retailer banks the card game or receives a percentage of the wagers made.

(b) The sum of ten dollars (\$10) per year for each card table on which an hourly charge is made for the use of the table.

(2) If a licensed retailer already holds a table license of the same type authorizing the use of a card table for card games authorized under any other gambling law, no table license fee under this section shall be required.

Section 14. Poker; maximum prize. No prize for any individual game of poker shall exceed the value of one hundred dollars (\$100). Games shall not be combined in any manner so as to increase the value of the ultimate prize awarded.

Section 15. Slot machines and coin-operated machines; license; fees. (1) The department of revenue is empowered to issue to qualified persons or corporations licenses for the manufacture and for the distribution of slot machines and coin-operated machines and to issue to qualified persons licenses for the retail selling of chances on slot machines and coin-operated machines.

(2) The license for the manufacture of slot machines and coin-operated machines entitles the licensed manufacturer to manufacture slot machines according to the specifications required by the department and to sell its manufactured slot machines and coin-operated machines to licensed distributors or, if the licensed manufacturer is also licensed as a distributor, to licensed retailers. The annual fee for this license is five hundred dollars (\$500).

(3) The license for the distribution of slot machines and coin-operated machines

entitles the licensed distributor to purchase slot machines and coin-operated machines from licensed manufacturers and to sell them to licensed retailers. The annual fee for this license is five hundred dollars (\$500). If a licensed distributor is also a licensed manufacturer, and distributes only slot machines and coin-operated machines that he has manufactured, no license fee is required for the distributor's license.

(4) The license for the retail selling of chances or plays on slot machines and coin-operated machines entitles the licensed retailer to purchase slot machines and coin-operated machines from licensed distributors and to sell plays or chances on the slot machines and coin-operated machines so purchased. The annual fee for this license is two hundred fifty dollars (\$250).

(5) The department shall determine the qualifications of holders of manufacturers' licenses, distributors' licenses and retailers' licenses according to the standards and requirements set forth in the Montana Gaming Control Act. Holders of licenses under this act shall comply with all the requirements and perform all the duties required of holders of the same kind of license under the Montana Gaming Control Act.

Section 16. License fees for each machine. In addition to the license provided for in section 15(4), a licensed retailer under this act shall obtain a license for each slot machine or coin-operated machine in his establishment. The annual license fee for each slot machine or coin-operated machine is fifty dollars (\$50).

Section 17. The transportation of sports pool cards, slot machines and coin-operated machines, and punchboards approved by this act is hereby declared exempt from the provisions of 18 U.S.C. 1172.

Section 18. The department of revenue is granted authority to adopt and promulgate rules or regulations to implement and carry out this act.

Section 19. (1) All manufacture of punchboards, slot machines and coin-operated machines, all sales of chances on punchboards, sports pools, slot machines and coin-operated machines and all games of poker conducted pursuant to this act are subject to the rules and regulations of the department of revenue and the laws of this state regulating gambling games and games of chance generally; including the Montana Gaming Control Act.

(2) All holders of licenses under this act are subject to the rules and regulations of the department of revenue and the laws of this state governing the conduct of licensees and the granting of licenses for the manufacture, distribution and conducting of gambling games and games of chance generally, including the Montana Gaming Control Act.

(3) Persons purchasing chances on punchboards, sports pools, slot machines or coin-operated machines or participating in games of poker pursuant to this act are subject to the rules and regulations of the department of revenue and the laws of this state pertaining to participation in gambling games and games of chance generally, including the Montana Gaming Control Act.

Section 20. Violations of this act are punishable as provided in the Montana Gaming Control Act.

Section 21. To the extent that they are not specifically superceded by the provisions of this act or any other gambling law, the provisions of Sections 94-8-401 through 94-8-431, R.C.M. 1947, remain in effect.

Section 22. Venue for all violations of this act is in the district court.

Section 23. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are declared to be severable."

LEE

For the Minority

Hall moved that the rules be suspended and that the amendments on the minority report be considered read in full.

Motion carried.

Fasbender moved that House Bill No. 507 be placed on Second Reading and be deemed amended as set forth in the minority report, without reference to the acceptance or rejection of the minority report.

Motion carried.

MESSAGES FROM THE GOVERNOR

January 10, 1974

The Honorable Harold Gerke
Speaker of the House of Representatives
State Capitol
Helena, Montana 59601

Dear Speaker Gerke:

During the past year it has become evident that the problem of "saline seep" poses a major threat to Montana's agricultural industry. In an era when Montanans have become increasingly concerned over coal development, it is ironic to note that far more land has been destroyed because of saline seep than by coal surface mining. For example, in 1973, fewer than 300 acres of Montana's land was disturbed by coal surface mining. By contrast, it is estimated that between 80,000 and 250,000 acres of Montana's prime agricultural land has been damaged or completely destroyed by saline seep. For this reason, I have requested that the attached legislation which is entitled, "AN ACT DIRECTING THE DEPARTMENT OF AGRICULTURE TO STUDY SALINE SEEP AND TO DEVELOP PROGRAMS TO PREVENT OR CORRECT DAMAGE DONE BY SALINE SEEP", be introduced.

In 1973, I created the Governor's Emergency Committee on Saline Seep to study the problem of saline seep and to make recommendations concerning legislation and the acquisition of funds to implement a program to eradicate saline seep as an agricultural problem in the Big Sky Country. The attached legislation will enable the Department of Agriculture to implement many of the recommendations submitted by the Emergency Committee. I hope that you will give this proposed legislation expeditious review so that an effective saline seep program can be implemented in the State of Montana.

I thank you for your careful consideration of this legislation.

Sincerely,

THOMAS L. JUDGE
Governor

MESSAGES FROM THE OTHER HOUSE

January 9, 1974

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following House Bills were this day, on Committee Reports and duly adopted, recommended for nonconcurrency and the bills are herewith returned to the House:

House Bill No. 250, introduced by Fagg

House Bill No. 341, introduced by Shelden

House Bill No. 366, introduced by Regan

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

MOTIONS

Fasbender moved that all discussion on bills on Second Reading be limited to

five minutes per person, except the person making the motion be permitted five minutes to open and five minutes to close, for this day only.

Motion carried.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following bills were introduced, read first time and referred to committees:

House Bill No. 731, introduced by Cox, Lucas, Gerke, Haines, Stephens, Lynch, Bell, Kvaalen: A bill for an act entitled: "An act directing the board of regents to halve the tuition for resident students who are Vietnam veterans, and amending Section 75-8601, R.C.M. 1947." Referred to Committee on Education.

House Bill No. 732, introduced by Lien, Lund, Prevost, Huennekens, Stoltz, Manuel, Laas, Cotton, Hageman, Ageson, Jacobsen, Colberg, Kvaalen, Marks, Hubing, East, Holtz: A bill for an act entitled: "An act to require the reclamation of areas disturbed by drilling or exploration for oil or gas, and amending Sections 60-127 and 60-128, R.C.M. 1947." Referred to Committee on Natural Resources.

House Bill No. 733, introduced by Kvaalen, Cox, Marks, Ulmer: A bill for an act entitled: "An act amending Section 75-6905, R.C.M. 1947, to raise the maximum budget schedules for elementary and high schools." Referred to Committee on Education.

House Bill No. 734, introduced by Schye, Walborn, Cotton: A bill for an act entitled: "An act to provide for an election to authorize an additional tax levy of three (3) mills or less for funding public hospital districts." Referred to Committee on Taxation.

House Bill No. 735, introduced by Schye: A bill for an act entitled: "An act directing the workmen's compensation division to set the fees of attorneys and other agents appearing before it and to publish such fees along with amounts of awards every quarter, and amending Section 92-827, R.C.M. 1947." Referred to Committee on Labor and Employment Relations.

House Bill No. 736, introduced by Bardanoue: A bill for an act entitled: "An act to amend Section 81-436, R.C.M. 1947, to provide for the deposit required for bids on state grazing leases." Referred to Committee on Agriculture, Livestock and Irrigation.

House Bill No. 737, introduced by Bardanoue: A bill for an act entitled: "An act to amend Section 81-402, R.C.M. 1947, to empower the state board of land commissioners to approve special crop share rentals for high production cost crops; and providing that this power may not be delegated to the Department of State Lands." Referred to Committee on Agriculture, Livestock and Irrigation.

House Bill No. 738, introduced by Bardanoue: A bill for an act entitled: "An act to provide for the lease terms of state lands for uses other than agriculture, grazing, timber harvest, or mineral production and to amend Section 81-402, 81-407 and 81-408, R.C.M. 1947, to provide for lease terms on city and town lots." Referred to Committee on Local Government.

House Bill No. 739, introduced by Bardanoue: A bill for an act entitled: "An act to amend Section 81-915, R.C.M. 1947, to provide for setting of interest rates for the sale of state lands." Referred to Committee on Business and Industry.

House Bill No. 740, introduced by Bardanoue: A bill for an act entitled: "An act to amend Section 81-1702.1, R.C.M. 1947, to provide for the payment date of rentals on state oil and gas leases." Referred to Committee on Business and Industry.

House Bill No. 741, introduced by Galt, Schye, Kolstad, Fleming, Stephens: A bill for an act entitled: "An act to amend Section 16-1015, R.C.M. 1947, to delete any reference to sales ratio studies for the county general fund levy." Referred to Committee on Taxation.

House Bill No. 742, introduced by Greely, Fasbender: A bill for an act entitled: "An act to amend Section 25-102, R.C.M. 1947, to exclude extraditions from those classes of documents for which a five dollar (\$5) fee must be paid to the Secretary

of State before a request for extradition can be honored; and providing for an effective date." Referred to Committee on Judiciary.

House Bill No. 743, introduced by Flynn, Tierney: A bill for an act entitled: "An act to amend Sections 53-119 and 53-119.1, R.C.M. 1947, by providing a junk vehicle, as defined in Chapter 410, Montana Session Laws, 1973, Title 69, Chapter 68, R.C.M. 1947, being driven or towed to an auto wrecking graveyard for disposal is exempt from the provisions of these sections; and providing for an effective date of the act." Referred to Committee on Highways and Transportation.

House Bill No. 744, introduced by Flynn, Tierney: A bill for an act entitled: "An act to amend Section 53-903, R.C.M. 1947, to provide for the disposition without notice of a motor vehicle when the value of the vehicle is one hundred dollars (\$100) or less." Referred to Committee on Highways and Transportation.

House Bill No. 745, introduced by Kendall, Cox, Driscoll, Manuel: A bill for an act entitled: "An act to allow the creation of a capital improvement fund for county government." Referred to Committee on Local Government.

House Bill No. 749, introduced by R. Harper, Gunderson: A bill for an act entitled: "An act regulating certain postsecondary educational institutions, and providing penalties." Referred to Committee on Education.

House Bill No. 750, introduced by Schepens, Holmes, Laas, Hubing, Kvaalen, Sheldon, Cotton, H. Harper: A bill for an act entitled: "An act to prohibit the consumption of alcoholic beverages and the possession of open receptacles containing alcoholic beverages in or on motor vehicles while upon public highways or in areas used for public parking." Referred to Committee on Highways and Transportation.

House Bill No. 751, introduced by Tierney, Swanberg, Greely, Murphy: A bill for an act entitled: "An act establishing the powers of trustees in the State of Montana; and providing an effective date." Referred to Committee on Judiciary.

House Bill No. 752, introduced by Tierney, Swanberg, Aageson, Greely, Watt: A bill for an act entitled: "An act authorizing elementary school district trustees to petition for, and county superintendents to change district boundaries." Referred to Committee on Education.

House Bill No. 753, introduced by Tierney: A bill for an act entitled: "An act amending Section 11-1001, R.C.M. 1947, to provide that owners of real property receiving water or sewer service from a city or town shall be deemed to waive the right to protest annexation by the city or town." Referred to Committee on Local Government.

House Bill No. 754, introduced by Aageson, Glennen, Rolfe, Kolstad, Murphy, Laas: A bill for an act entitled: "An act permitting the operation of motorcycles by the holders of traffic education permits and amending Section 31-129, R.C.M. 1947." Referred to Committee on Highways and Transportation.

House Bill No. 755, introduced by Murphy, Baucus, Edland, Regan, McKittrick, R. Harper, Stoltz, Fleming, Gunderson, Driscoll, Manuel, Baeth, Flynn, Lee, Menahan, Greely, Watt, Lucas, Aageson, Laas, Bradley, Lien, Jacobsen, Sheldon, Quilici, Ainsworth, Swanberg, Fasbender, Tierney, Hageman, Kolstad, Schepens, Halvorson: A bill for an act entitled: "An act directing the Department of Agriculture to study saline seep and develop programs to prevent or correct damage done by saline seep." Referred to Committee on Agriculture, Livestock and Irrigation.

House Joint Resolution No. 44, introduced by Rolfe, Kolstad, Smith, Hubing, Forsgren, Galt, Burnett, Walborn, Seifert, Mehrens, Ellerd, Kessner, Roberts, Baeth, Manuel, Huennekens, Staigmilller, Hodges, Aageson, Bell, Marks, Jones, Campbell, Tierney, Holtz, Brown, Jacobsen, Lien, Warfield, Lockrem, Hager, Mercer, Cox, Glennen, Asbjornson, Barrett, Lundgren, Selstad, Healy, Menahan, Flynn: A Joint Resolution of the Senate and the House of Representatives of the State of Montana declaring the Montana State Legislature's unalterable opposition to registration and confiscation of firearms. Referred to Committee on Constitution, Elections and Federal Relations.

House Bill No. 756, introduced by Lucas (by request): A bill for an act entitled: "An act authorizing a county to enact a leash law for dogs." Referred to Committee on Local Government.

House Bill No. 757, introduced by Cox, Lucas, Greely: A bill for an act entitled: "An act amending Section 93-401, R.C.M. 1947, to provide county commissioners of first, second, and third class counties the option of creating a second justice court, and restrict all other counties to one justice court and one justice of the peace." Referred to Committee on Judiciary.

MOTIONS

Fasbender moved that the rules be suspended and that Senate Bill No. 511 and Senate Joint Resolution No. 41 be placed on Second Reading for consideration this day.

Motion carried.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Fasbender moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading.

Motion carried.

Swanberg in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

January 10, 1974

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That Senate Bill No. 511 be concurred in. (94-0)

That Senate Joint Resolution No. 41 be concurred in. (93-0)

That the Committee rise and report.

SWANBERG, Chairman

Report adopted.

MOTIONS

Fasbender moved that the rules be suspended and Senate Bill No. 511 and Senate Joint Resolution No. 41 be placed on Third Reading for consideration this day.

Motion carried.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

Senate Bill No. 511 was concurred in by the following vote:

Ayes: Ageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Seifert, Selstad, Shelden, Smith, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 95.

Noes: None.

Absent or not voting: Ellerd, Schye. Total 2.

Excused: Burnett, Lockrem, Zimmer. Total 3.

Senate Joint Resolution No. 41 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lombardi, Lucas, Lund, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmilller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 96.

Noes: None.

Absent or not voting: Lundgren. Total 1.

Excused: Burnett, Lockrem, Zimmer. Total 3.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Hall moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading under the rules of the previous sitting.

Motion carried.

Swanberg in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

January 10, 1974

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That House Bill No. 507, all references hereafter being to the bill as set forth in the Select Committee on Gambling Minority Report:

1. Amend the title of House Bill No. 507, as amended by said minority report, page 1, fourth paragraph, by striking the word and punctuation "punchboards,". (61-36)

2. Amend Section 2 of Subsection (5), page 2, by striking in the first sentence of said subsection the words "punchboards and" and by striking all of the second sentence of said subsection.

3. Amend Section 2, Subsection (7), page 2, by striking all of said subsection and renumbering the following subsections accordingly.

4. Amend Section 3, page 3, as follows: in the preambular material strike the words "and punchboards"; in Subsection (1) strike the words "to qualified persons and corporations licenses for the manufacture of punchboards and" which deleted material follows the words "empowered to issue"; in Subsection (1) further after the words "chances on" strike the words "punchboards and"; strike all of Subsection (2); renumber Subsection (3) as Subsection (2) and strike from the latter subsection all thereof but the last sentence, which retain.

5. Strike all of Section 4.

6. Strike all of Section 5.

7. Strike all of Section 6.

8. Strike all of Section 7.

9. Strike all of Section 8.

10. Strike all of Section 9.

11. Strike all of Section 10.

12. Renumber Section 11, page 5, to be consecutive to the body of the bill, and amend the section by striking the figure (8) and inserting the figure (7) in lieu thereof.

13. Amend Section 17, page 6, by striking the punctuation and words ", punchboards approved by this act".

14. In Section 19, page 6, strike the words and punctuation "punchboards," each time that combination appears throughout all subsections of Section 19.

15. Amend Section 2, page 2, by deleting all of subsection (2) and renumbering following subsections. (62-33)

That House Bill No. 507, all references hereafter being to the bill as set forth in the Select Committee on Gambling Minority Report:

1. Amend the title, as amended by said minority report, page 1, fourth paragraph, by striking the punctuation and words ", slot machines and coin operated machines". (62-35)

2. In Section 2, amend as follows: in Subsection (5) strike the punctuation and words ", or of offering for sale chances on slot machines and coin-operated machines"; and strike all of Subsections (10) and (11).

3. Strike all of Section 15, pages 5 and 6.

4. Strike all of Section 16, page 6.

5. Amend Section 17, by striking the words and punctuation "slot machines and coin-operated machines,".

6. In Section 19, amend by striking in all subsections, where the words "slot machines and coin-operated machines" appear. (64-32)

Amend House Bill 507, Section 2, page 2, by deleting all of alternate Subsection 8, Section 2. (91-0), and

As amended, the minority report on House Bill No. 507 do pass. (78-17)

That House Bill No. 700 be moved to the bottom of the board and carry with it all discussion and retain same status as now.

Motion failed.

That House Bill 700 do pass. (74-18)

That House Bill No. 703 be amended in Section 5, Subsection 2, page 3, line 5 of the printed bill by deleting "and" after the word "rummy" and inserting a comma ","; also after the word "whist" delete the period "." and add the words "and Solo". (97-3), and

As amended, do pass. (64-23)

That House Bill No. 705 do pass. (85-6)

That House Bill No. 706 be amended on page 6, Section 11, line 20 by deleting the word "lawful"; (79-0)

And further amend on page 8, Section 12, lines 15 and 16 by deleting the language "or a copy thereof"; (88-1), and

As amended, do pass. (48-47)

That the Committee rise and report.

SWANBERG, Chairman

Report adopted.

REPORTS OF SELECT COMMITTEES

January 7, 1974

Mr. Speaker: We, your Conference Committee on Gambling, having had under

consideration House Bill No. 493, respectfully report as follows: That House Bill No. 493 do not pass.

McGOWAN, Senate Chairman
HALL, House Chairman

Report adopted by the following roll call vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Baucus, Bell, Bennetts, Bradley, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, Hodges, Holmes, Holtz, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lucas, Lund, Lundgren, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Mercer, Murphy, Norman, Olson, Prevost, Regan, Roberts, Rolfe, Schepens, Seifert, Selstad, Shelden, Smith, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 86.

Noes: Barrett, Brand, R. Harper, Healy, Lombardi, Lynch, Menahan, Quilici. Total 8.

Excused: Burnett, Lockrem, Zimmer. Total 3.

Absent or not voting: Hubing, Kessner, Schye. Total 3.

January 7, 1974

Mr. Speaker: We, your Conference Committee on Gambling, having had under consideration House Bill No. 514, respectfully report as follows: That House Bill No. 514 do not pass.

McGOWAN, Senate Chairman
HALL, House Chairman

Report adopted by the following roll call vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, Hodges, Holmes, Holtz, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kvaalen, Laas, Lee, Lien, Lucas, Lund, Lundgren, McKittrick, Mann, Manuel, Marbut, Marks, Mercer, Murphy, Norman, Olson, Prevost, Regan, Roberts, Rolfe, Schepens, Seifert, Shelden, Smith, Staigmillier, Stephens, Stoltz, Swanberg, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 83.

Noes: Brand, Gunderson, R. Harper, Healy, Kosena, Lombardi, Lynch, Mehrens, Menahan, Quilici, Tierney. Total 11.

Excused: Burnett, Lockrem, Zimmer. Total 3.

Absent or not voting: Hubing, Schye, Selstad. Total 3.

January 7, 1974

Mr. Speaker:

Mr. Speaker: We, your Conference Committee on Gambling, having had under consideration House Bill No. 515, respectfully report as follows: That House Bill No. 515 do not pass.

McGOWAN, Senate Chairman
HALL, House Chairman

Report adopted by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Forsgren, Galt, Glennen,

Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, Hodges, Holmes, Holtz, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kvaalen, Laas, Lee, Lien, Lund, Lundgren, McKittrick, Mann, Manuel, Marbut, Marks, Mercer, Murphy, Norman, Olson, Prevost, Regan, Roberts, Rolfe, Schepens, Seifert, Shelden, Smith, Staigmillier, Stephens, Stoltz, Swanberg, Towe, Turman, Turner, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 80.

Noes: Brand, Flynn, R. Harper, Healy, Kolstad, Kosena, Lombardi, Lucas, Lynch, Mehrens, Menahan, Quilici, Tierney, Ulmer. Total 14.

Excused: Burnett, Lockrem, Zimmer. Total 3.

Absent or not voting: Hubing, Schye, Selstad. Total 3.

January 7, 1974

Mr. Speaker: We, your Conference Committee on Gambling, having had under consideration House Bill No. 526, respectfully report as follows: That House Bill No. 526 do not pass.

McGOWAN, Senate Chairman
HALL, House Chairman

Report adopted by the following vote.

Ayes: Aageson, Ainsworth, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brown, Campbell, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, Hodges, Holmes, Holtz, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kvaalen, Laas, Lee, Lien, Lucas, Lund, Lundgren, McKittrick, Mann, Manuel, Marbut, Marks, Mercer, Norman, Olson, Prevost, Regan, Rolfe, Schepens, Seifert, Shelden, Smith, Staigmillier, Stephens, Stoltz, Swanberg, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 73.

Noes: Asbjornson, Brand, Castles, Clemow, Fleming, Flynn, R. Harper, Healy, Huennekens, Kolstad, Kosena, Lombardi, Lynch, Mehrens, Menahan, Murphy, Quilici, Roberts, Tierney, Towe, Walborn. Total 21.

Excused: Burnett, Lockrem, Zimmer. Total 3.

Absent or not voting: Hubing, Schye, Selstad. Total 3.

January 7, 1974

Mr. Speaker: We, your Conference Committee on Gambling, having had under consideration House Bill No. 533, respectfully report as follows: That House Bill No. 533 do not pass.

McGOWAN, Senate Chairman
HALL, House Chairman
January 7, 1974

Mr. Speaker: We, your Conference Committee on Gambling, having had under consideration House Bill No. 535, respectfully report as follows: That House Bill No. 535 do not pass.

McGOWAN, Senate Chairman
HALL, House Chairman

Report adopted by the following roll call vote.

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, Hodges, Holmes, Holtz, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kosena, Kvaalen, Laas, Lee, Lien, Lucas, Lund, Lundgren, McKittrick, Mann, Manuel, Marbut, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Regan, Roberts, Rolfe, Schepens, Seifert, Selstad, Shelden, Smith, Staigmillier, Stephens, Stoltz, Swanberg, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 85.

Noes: Brand, R. Harper, Healy, Kolstad, Lombardi, Lynch, Quilici, Tierney. Total 8.

Excused: Burnett, Lockrem, Zimmer. Total 3.

Absent or not voting: Flynn, Hubing, Marks, Schye. Total 4.

January 7, 1974

Mr. Speaker: We, your Conference Committee on Gambling, having had under consideration House Bill No. 546, respectfully report as follows: That House Bill No. 546 do not pass.

McGOWAN, Senate Chairman

HALL, House Chairman

Report adopted by the following roll call vote.

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brown, Campbell, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, Holmes, Holtz, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kvaalen, Laas, Lee, Lien, Lucas, Lund, Lundgren, McKittrick, Mann, Manuel, Marbut, Marks, Mercer, Murphy, Norman, Olson, Prevost, Regan, Roberts, Rolfe, Schepens, Seifert, Selstad, Shelden, Smith, Staigmillier, Stephens, Stoltz, Swanberg, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 83.

Noes: Brand, Castles, R. Harper, Healy, Hodges, Kosena, Lombardi, Lynch, Mehrens, Menahan, Quilici, Tierney. Total 12.

Excused: Burnett, Lockrem, Zimmer. Total 3.

Absent or not voting: Hubing, Schye. Total 2.

MOTIONS

H. Harper moved that House Bill No. 533 be taken from the Conference Committee and re-referred to the Committee on Judiciary.

Motion carried.

Fasbender moved that the House adjourn until 1:30 p.m., January 11, 1974.

Motion carried.

House adjourned.

HAROLD E. GERKE, Speaker

EDWIN A. SMITH, Chief Clerk

FIFTH LEGISLATIVE DAY

Helena, Montana
January 11, 1974

House Chambers
Capitol Building

House convened at 1:30 p.m., Mr. Speaker in the Chair.

Invocation by the Chaplain.

Pledge of Allegiance to the Flag.

Roll call. All members present except Lockrem, Rolfe and Zimmer, all excused.

Quorum present.

Mr. Speaker: We, your Committee on Bills and Journal, having examined the daily journal for the Fourth Legislative Day, find the same to be correct.

QUILICI, Chairman

Mr. Speaker introduced Mr. John H. Stender, Department of Labor, Director of Occupational Safety and Health Administration (OSHA), who addressed the assembly.

REPORTS OF STANDING COMMITTEES

January 11, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill correctly engrossed: House Bill 703.

QUILICI, Chairman

January 11, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills considered correctly engrossed: House Bill 700, House Bill 705.

QUILICI, Chairman

January 11, 1974

Mr. Speaker: We, your Committee on Legislative Administration, recommend that the following be employed by the House of Representatives for the Second Regular Session of the 43rd Legislature effective January 7, 1974:

Cordell Brown	Assistant Sergeant-at-Arms
Bob Stephens	Doorkeeper & Parking
Blair Boedecker	Doorkeeper & Parking
Mike Murray	Doorkeeper & Parking
Fred Merrick	Watchman
Richard Thornton	Watchman
Jerry Lynch	Parking Attendant (Part time)
Jim Kelly	Parking Attendant (Part time)

The following pages to be employed effective Thursday, January 10, 1974:

Ann Brothers	Page
Debby Crosswhite	Page
Jamie Flynn	Page
Jean Popovich	Page

EDLAND, Chairman

Report adopted.

January 11, 1974

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 641, respectfully report as follows: That House Bill No. 641 do pass.

HALL, Chairman

Report adopted.

January 11, 1974

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 674, respectfully report as follows: That House Bill No. 674 be amended on page 1, Section 1, line 10 after the word "general" by deleting the word "may" and inserting in lieu thereof the new word "shall", and,

Be further amended on page 1, Section 1, line 11 after the word "general" by deleting the word "may" and inserting in lieu thereof the new word "shall", and,

Be further amended on page 1, Section 1, line 13 after the punctuation mark "," by inserting the new material "If the Attorney General shall decline such prosecution or shall fail to commence action on a public offense within a reasonable time the County Attorney of appropriate county shall conduct on behalf of the state such prosecution.", and

As amended, do pass.

HALL, Chairman

Report adopted.

Fasbender moved that all bills that were referred out of committee with a "do not pass" not be voted on for another 24 hours.

Motion carried.

MOTIONS

Fasbender moved that the rules be suspended and that House Bills Nos. 507, 700, 703, 705 and 706 be placed on Third Reading for consideration this day.

Motion carried.

Galt moved that House Bill No. 741 be taken from the Committee on Taxation and referred to the Committee on Local Government.

Motion carried.

Bardanouve moved that House Bill No. 725 be taken from the Committee on State Administration and referred to the Committee on Highways and Transportation.

Motion carried.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following bills were introduced, read first time and referred to committees:

House Bill No. 758, introduced by Watt, Norman, Tierney, Lundgren, Kendall, Quilici, McKittrick, Kimble: A bill for an act entitled: "An act to provide for the sale of discontinued streets and alleys." Referred to Committee on Local Government.

House Bill No. 759, introduced by McKittrick, Lee: A bill for an act entitled: "An act to amend Title 69, Chapter 52, of the Revised Codes of Montana, 1947, by amending Section 69-5201, R.C.M. 1947, by adding the term 'construction' to the definitions; amending Section 69-5212, R.C.M. 1947, to require the filing of an application, and receiving approval from the State Department of Health and Environmental Sciences for the construction of hospitals and hospital related facilities which shall be accomplished in a manner which is orderly, economical and consistent with the development of necessary and adequate facilities for providing for the health care of the people of Montana." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 760, introduced by Campbell, H. Harper, Castles, Bell, Bennetts, Marks, Gunderson, Halverson: A bill for an act entitled: "An act to appropriate additional money for renovating and enlarging the Vo-tech facility located at the Helena airport for the biennium ending June 30, 1975; and providing for other matters relating to the appropriation." Referred to Committee on Finance and Claims.

House Bill No. 761, introduced by Quilici, Lynch, Lee, Mehrens, Lombardi, Healy, R. Harper, Menahan: A bill for an act entitled: "An act designating trucks used in mines rather than on highways as class four property, and amending Section 84-301, R.C.M. 1947." Referred to Committee on Taxation.

House Bill No. 762, introduced by Manuel, Gunderson, Aageson, Hageman, Holtz, Stoltz, Stephens, Johnston, Fleming: A bill for an act entitled: "An act amending Section 7 of Chapter 397, Laws of 1971, as codified in Chapter 17, Title 3, R.C.M. 1947, by repealing the effective date of a law providing for an assessment on fertilizer to produce funds for the Montana Co-operative Extension Service and the Montana Agricultural Experiment Station of Montana State University, Bozeman, for a statewide fertilizer and related soil management program of education." Referred to Committee on Agriculture, Livestock and Irrigation.

House Bill No. 763, introduced by Fasbender, Swanberg: A bill for an act entitled:

"An act amending Section 43-711, R.C.M. 1947, to authorize the Legal Services Division of the Legislative Council to assign catch lines and section numbers to bills without such information; and providing for an effective date." Referred to Committee on Judiciary.

House Bill No. 764, introduced by Gunderson, Fasbender: A bill for an act entitled: "An act to create a board which meets federal requirements to administer state plans under federal post-secondary education programs." Referred to Committee on Education.

House Bill No. 765, introduced by Schepens, Kosena, Galt: A bill for an act entitled: "An act to amend Section 16-1904, R.C.M. 1947, to eliminate certain provisions prohibiting appropriations in county budget from exceeding certain percentage restrictions of the amount appropriated in the previous year's budget." Referred to Committee on Finance and Claims.

House Bill No. 766, introduced by R. Harper, Quilici, Lynch, Clemow, Lee, Lombardi, Healy, Kosena, Menahan, Mehrens, Brand, Flynn, McKittrick, Murphy: A bill for an act entitled: "An act granting counties the option to determine if gambling games may be conducted or gaming devices made available for play within the county; providing for elections." Referred to Select Committee on Gambling.

House Bill No. 767, introduced by Halvorson, Lombardi, Schye, Johnston, Murphy, Watt: A bill for an act entitled: "An act creating an elections commission to set limits on political campaign spending; set time limits for campaigns; disburse public funds for the general election; imposing sanctions for campaign abuses; and providing an effective date." Referred to Committee on Constitution, Elections and Federal Relations.

House Bill No. 768, introduced by Halvorson, Lombardi: A bill for an act entitled: "An act creating an elections commission to set limits on political campaign spending; moving the primary election to September, and amending Sections 23-2901, 23-3301, and 23-4727, R.C.M. 1947." Referred to Committee on Constitution, Elections and Federal Relations.

House Bill No. 769, introduced by Gerke, Fasbender: A bill for an act entitled: "An act amending Section 84-1502, R.C.M. 1947, to specifically deny a deduction for income taxes paid other states and foreign countries by a corporation doing business in Montana; and providing an effective date." Referred to Committee on Taxation.

House Bill No. 770, introduced by Gerke, Bardanouve, Cox: A bill for an act entitled: "An act to delete the requirement that interim study reports be submitted to the full standing committees prior to each legislative session by amending 43-716, R.C.M. 1947." Referred to Committee on Rules.

House Bill No. 771, introduced by Gerke: A bill for an act entitled: "An act repealing Section 4-171, R.C.M. 1947, relating to the sale of material branded as liquor." Referred to Committee on Judiciary.

House Bill No. 772, introduced by Gerke: A bill for an act entitled: "An act repealing Section 4-133, R.C.M. 1947, relating to club licenses to sell beer." Referred to Committee on Judiciary.

House Bill No. 773, introduced by Gerke: A bill for an act entitled: "An act repealing Section 4-357, R.C.M. 1947, relating to annual reports and accountings under the Montana Beer Act." Referred to Committee on Judiciary.

House Bill No. 774, introduced by Gerke, Kosena, Schepens, Cox, Warfield, Lund, McKittrick, Norman, Turman: A bill for an act entitled: "An act establishing a temporary commission on local government; providing for an immediate effective date; and providing a termination date." Referred to Committee on Local Government.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Fasbender moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading under the rules of the previous day.

Motion carried.

Ageson in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

January 11, 1974

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That House Bill No. 224 do pass. (95-0)

That the committee rise and report.

AAGESON, Chairman

Report adopted.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 507 was passed by the following vote:

Ayes: Ageson, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Brand, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Fasbender, Fleming, Flynn, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, R. Harper, Healy, Hodges, Hubing, Huennekens, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Laas, Lee, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Mehrens, Menahan, Murphy, Prevost, Quilici, Regan, Roberts, Schepens, Schye, Seifert, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley. Total 72.

Noes: Bennetts, Bradley, Brown, Burnett, Campbell, Ellerd, Fagg, Forsgren, Hall, Halvorson, H. Harper, Holmes, Holtz, Jacobsen, Kvaalen, Lien, Marks, Mercer, Norman, Olson, Selstad, Shelden, Smith, Walborn, Mr. Speaker. Total 25.

Paired: Lockrem, aye; Mercer, nay.

Excused: Rolfe, Zimmer. Total 2.

Absent or not voting: Ainsworth. Total 1.

House Bill No. 700 was passed by the following vote:

Ayes: Ageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, R. Harper, Healy, Holmes, Hubing, Huennekens, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Mehrens, Menahan, Mercer, Murphy, Norman, Prevost, Quilici, Regan, Roberts, Schepens, Schye, Seifert, Shelden, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley. Total 82.

Noes: Bennetts, Burnett, Forsgren, Hall, Halvorson, H. Harper, Hodges, Holtz, Jacobsen, Lien, Marks, Olson, Selstad, Smith, Mr. Speaker. Total 15.

Excused: Lockrem, Rolfe, Zimmer. Total 3.

Absent or not voting: None

House Bill No. 703 was passed by the following vote:

Ayes: Ageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Brand, Castles, Clemow, Colberg, Cox, Driscoll, East, Edland, Fasbender, Fleming, Flynn, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, R. Harper, Healy, Hodges, Hubing, Huennekens, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund,

Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Mehrens, Menahan, Mercer, Murphy, Prevost, Quilici, Regan, Roberts, Schepens, Schye, Seifert, Staigmilller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley. Total 74.

Noes: Bennetts, Bradley, Brown, Burnett, Campbell, Cotton, Ellerd, Fagg, Forsgren, Hall, Halvorson, H. Harper, Holmes, Holtz, Jacobsen, Kvaalen, Marks, Norman, Olson, Selstad, Shelden, Smith, Walborn, Mr. Speaker. Total 24.

Paired: Kvaalen, nay; Lockrem, aye.

Excused: Rolfe, Zimmer. Total 2.

Absent or not voting: None.

House Bill No. 705 was passed by the following vote:

Ayes: Ageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bradley, Brand, Brown, Burnett, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, R. Harper, Healy, Holmes, Hubing, Huennekens, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Mehrens, Menahan, Mercer, Murphy, Norman, Prevost, Quilici, Regan, Roberts, Schepens, Schye, Seifert, Smith, Staigmilller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley. Total 84.

Noes: Bennetts, Campbell, Ellerd, Hall, Halvorson, H. Harper, Hodges, Holtz, Jacobsen, Marks, Olson, Selstad, Shelden, Mr. Speaker. Total 14.

Paired: Hall, nay; Lockrem, aye.

Excused: Rolfe, Zimmer. Total 2.

Absent or not voting: None.

House Bill No. 706 failed to pass by the following vote:

Ayes: Baeth, Baucus, Brand, Brown, Campbell, Clemow, Driscoll, Fasbender, Fleming, Flynn, Glennen, Greely, Gunderson, Hageman, Haines, R. Harper, Healy, Huennekens, Kessner, Kosena, Laas, Lee, Lockrem, Lombardi, Lucas, Lundgren, Lynch, McKittrick, Manuel, Marbut, Mehrens, Menahan, Murphy, Prevost, Quilici, Regan, Stephens, Stoltz, Swanberg, Tierney, Towe, Ulmer, Yardley. Total 43.

Noes: Ageson, Ainsworth, Asbjornson, Bardanouve, Barrett, Bell, Bennetts, Bradley, Burnett, Castles, Colberg, Cotton, Cox, East, Edland, Ellerd, Fagg, Forsgren, Galt, Hager, Hall, Halvorson, H. Harper, Hodges, Holmes, Holtz, Hubing, Jacobsen, Johnston, Jones, Kendall, Kimble, Kolstad, Kvaalen, Lien, Lund, Mann, Marks, Mercer, Norman, Olson, Roberts, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmilller, Turman, Turner, Walborn, Warfield, Watt, Mr. Speaker. Total 55.

Paired: Lockrem, aye; Mercer, nay.

Excused: Rolfe, Zimmer. Total 2.

Absent or not voting: None.

Fasbender moved that the House adjourn until 10:00 a.m., January 12, 1974.

Motion carried.

House adjourned.

HAROLD E. GERKE, Speaker

EDWIN A. SMITH, Chief Clerk

SIXTH LEGISLATIVE DAY

Helena, Montana
January 12, 1974

House Chambers
Capitol Building

House convened at 10:00 a.m., Mr. Speaker in the Chair.

Invocation by the Chaplain.

Pledge of Allegiance to the Flag.

Roll call. All members present except Mercer, Zimmer, Rolfe, Walborn, Fagg, all excused.

Quorum present.

Mr. Speaker: We, your Committee on Bills and Journal, having examined the daily journal for the Fifth Legislative Day, find the same to be correct.

QUILICI, Chairman

COMMUNICATIONS AND PETITIONS

The Speaker signed in open session Senate Bill No. 511.

REPORTS OF STANDING COMMITTEES

January 12, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: House Bill No. 507 and House Bill No. 706.

FLEMING, Vice-Chairman

January 12, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly printed: House Bill No. 641, House Bill No. 674.

FLEMING, Vice-Chairman.

In accordance with the 24 hour rule, the adverse committee report on House Resolution No. 40 was adopted by the following vote:

Ayes: Ageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holtz, Hubing, Hueenekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 90.

Noes: None.

Excused: Fagg, Mercer, Rolfe, Walborn, Zimmer. Total 5.

Absent or not voting: Baucus, Hall, Holmes, Kimble, Menahan. Total 5.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 195 was adopted by the following vote:

Ayes: Ageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 91.

Noes: None.

Excused: Fagg, Mercer, Rolfe, Walborn, Zimmer. Total 5.

Absent or not voting: Campbell, Castles, Holmes, Turner. Total 4.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 336 was adopted by the following vote:

Ayes: Ainsworth, Asbjornson, Baeth, Bardanouve, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fasbender, Fleming, Flynn, Forsgren, Glennen, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kosenka, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 87.

Noes: Ageson, Barrett, Galt, Greely, Holtz, Kolstad, Lundgren. Total 7.

Excused: Fagg, Mercer, Rolfe, Walborn, Zimmer. Total 5.

Absent or not voting: Holmes. Total 1.

January 12, 1974

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 662, respectfully report as follows: That House Bill No. 662 be amended in the title on page 1, line 9 of the introduced bill, after the figures "1947" by inserting the following new material: "; and to provide an effective date", and

Be further amended in Section 1, page 3, line 4 of the introduced bill, after the word "district", by striking the word "may", and inserting in lieu thereof the word "shall", and

Be further amended after Section 1, page 3, line 8 of the introduced bill by adding a new Section 2 to read as follows: "Section 2. This act will be effective upon passage and approval.", and

As amended, do pass

COTTON, Vice-Chairman

Report adopted.

January 12, 1974

Mr. Speaker: We, your Committee on Education, having had under consideration House Joint Resolution No. 39, respectfully report as follows: That House Joint Resolution No. 39 be amended on page 2, line 4 of the introduced bill, after the word "the" by striking the following words: "Montana senate", and

Be further amended on page 2 line 4 of the introduced bill, after the word "congressional" by striking the word "delegations", and inserting in lieu thereof the word "delegation", and

As amended, do pass.

COTTON, Vice-Chairman

Report adopted.

January 11, 1974

Mr. Speaker: We, your Committee on Local Government, having had under consideration House Bill No. 624, respectfully report as follows: That House Bill No. 624 be amended in the introduced bill, page 1, line 7 after the word "of" by inserting the word and punctuation "county," and

Be further amended in the introduced bill, page 1, line 7 by inserting after the word "city" a comma ",", and

Be further amended in the introduced bill, page 1, line 17 by omitting the word "the" and adding an "s" to the word "board", and

Be further amended in the introduced bill, page 1, line 18 by inserting the words "from local funds" after the word "reimbursed", and

Be further amended in the introduced bill, page 1, line 19 by inserting the words "up to but not exceeding state transportation reimbursements" after the word "expenses", and

As amended, do pass.

KOSENA, Chairman

Report adopted.

January 11, 1974

Mr. Speaker: We, your Committee on Local Government, having had under consideration House Bill No. 587, respectfully report as follows: That House Bill No. 587 be amended in the key line of the introduced bill, page 1 by omitting the words and figures "84-4732 through 84-4735", and

Be further amended in the title, line 8 of the introduced bill by omitting the word "Sections" and inserting in lieu thereof the word "Section", and

Be further amended in lines 12 and 13, page 1 by omitting the words and figures "84-4732, 84-4733, 84-4734 and 84-4735", and

Be further amended on line 13, page 1 of the introduced bill by omitting the word "are" and inserting in lieu of the word "is", and

As amended, do pass.

KOSENA, Chairman

Report adopted.

January 11, 1974

Mr. Speaker: We, your Committee on Local Government, having had under consideration House Resolution No. 13, respectfully report as follows: That House Resolution No. 13 do not pass.

KOSENA, Chairman

January 11, 1974

Mr. Speaker: We, your Committee on Local Government, having had under consideration House Bill No. 401, respectfully report as follows: That House Bill No. 401 do not pass.

KOSENA, Chairman

January 11, 1974

Mr. Speaker: We, your Committee on Local Government, having had under consideration House Bill No. 189, respectfully report as follows: That House Bill No. 189 do not pass.

KOSENA, Chairman

January 11, 1974

Mr. Speaker: We, your Committee on Local Government, having had under consideration House Bill No. 337, respectfully report as follows: That House Bill No. 337 do not pass.

KOSENA, Chairman

MESSAGES FROM THE OTHER HOUSE

January 11, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Joint Resolution was this day read three several times and concurred in as amended, title and history agreed to, and the resolution is herewith returned to the House for concurrence in Senate amendments:

House Joint Resolution No. 4, introduced by Regan

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

January 11, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Joint Resolution was this day read third time, and passed, title and history agreed to and the Resolution is herewith transmitted to the House for concurrence:

Senate Joint Resolution No. 46, introduced by Bollinger

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

January 11, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day, adopted the Judiciary Standing Committee Report that House Amendments to Senate Bill No. 112 be not concurred in.

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

MOTIONS

Fasbender moved that House Bill Nos. 736 and 737 be taken from the Committee on Agriculture, Livestock and Irrigation and referred to the Committee on State Administration.

Motion carried.

Fasbender moved that House Bill No. 738 be taken from the Committee on Local Government and referred to the Committee on State Administration.

Motion carried.

Fasbender moved that House Bill Nos. 739 and 740 be taken from the Committee on Business and Industry and referred to the Committee on State Administration.

Motion carried.

Hall, having voted on the prevailing side in failing to pass House Bill No. 706 on Third Reading on previous legislative day, moved that the House reconsider its action.

Hall requested a roll call vote with the Ayes and Nays spread on the Journal. Sufficient seconds arose and the motion carried by the following vote:

Ayes: Ainsworth, Baeth, Baucus, Brand, Brown, Campbell, Castles, Clemow, Cox,

Driscoll, Fleming, Flynn, Glennen, Greely, Gunderson, Hageman, Haines, R. Harper, Healy, Hodges, Huennekens, Johnston, Kessner, Kimble, Kosena, Laas, Lee, Lombardi, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Mehrens, Menahan, Murphy, Norman, Prevost, Quilici, Regan, Staigmillar, Stephens, Stoltz, Swanberg, Tierney, Towe, Ulmer, Warfield, Yardley, Mr. Speaker. Total 55.

Noes: Aageson, Asbjornson, Bardanouve, Barrett, Bell, Bennetts, Bradley, Burnett, Colberg, Cotton, East, Edland, Ellerd, Forsgren, Galt, Hager, Halvorson, H. Harper, Holmes, Holtz, Hubing, Jacobsen, Jones, Kendall, Kolstad, Kvaalen, Lien, Lund, Marks, Olson, Roberts, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Turman, Turner, Watt. Total 44.

Paired: Ayes: Fasbender, Hall, Lockrem, Lucas. Noes: Fagg, Mercer, Rolfe, Walborn.

Excused: Zimmer. Total 1.

Absent or not voting: None.

Bradley moved that House Joint Resolution No. 43 be taken from the Committee on Highways and Transportation and referred to the Committee on Public Health, Welfare and Safety.

Motion carried.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following bills were introduced, read first time and referred to committees:

House Bill No. 775, introduced by Cox, Ulmer, Gerke, Ainsworth, Flynn, Seifert: A bill for an act entitled: "An act to amend Sections 16-507, 16-2404, 16-3601, 16-3607, 16-4010, 25-309, 66-205, 77-211, and 93-7709, R.C.M. 1947, by deleting the township territorial limits on constables; requiring the board of county commissioners to set salaries for constables; and providing an effective date." Referred to Committee on Local Government.

House Bill No. 776, introduced by Cox, Haines: A bill for an act entitled: "An act amending Sections 11-1925, 11-1926, and 11-1927, R.C.M. 1947, to provide that firemen presently on disability or service pension, widows and orphans will have their compensation determined on a cost of living basis." Referred to Committee on Local Government.

House Bill No. 777, introduced by Forsgren, Greely, H. Harper: A bill for an act entitled: "An act to amend Section 11-3214, R.C.M. 1947, relating to commissioners under commissioner-manager form of municipal government, eliminating qualification of real estate ownership and prohibition against holding other public office or employment." Referred to Committee on Constitution, Elections and Federal Relations.

House Bill No. 778, introduced by Kimble (by request): A bill for an act entitled: "An act amending Sections 26-302 and 26-303, R.C.M. 1947, changing the requirement for wearing hunter orange while hunting big game." Referred to Committee on Fish and Game.

House Bill No. 779, introduced by Kimble (by request): A bill for an act entitled: "An act to amend Section 11-721, R.C.M. 1947, by adding the word 'non-elected' to the provision relating to the removal of officers." Referred to Committee on Constitution, Elections and Federal Relations.

House Bill No. 780, introduced by Quilici, Lockrem, Mehrens, Flynn: A bill for an act entitled: "An act to amend Sections 40-4002, 40-4002.1, 40-4101, and 40-4102, R.C.M. 1947, to provide that disability insurance policies granting accident and sickness coverage to newborn infants shall include routine well baby coverage; to provide that newborn infant coverage is not subject to waiting or elimination periods; to provide that deductibles or reduction of benefits must be the same as for other persons covered by the policy; and providing an effective date." Referred to Committee on Business and Industry.

House Bill No. 781, introduced by Fagg, Cox, Kosena, Kendall, Baeth, Hager: A bill for an act entitled: "An act amending Section 11-2209, R.C.M. 1947, to allow

bids for special improvements to be opened other than at city council meetings." Referred to Committee on Local Government.

House Bill No. 782, introduced by Lynch, Mehrens, McKittrick, Lee, Kolstad, Murphy, Healy, Menahan, Baeth, Lombardi, Kosena, Kimble, R. Harper, Driscoll, Bennetts, Burnett: A bill for an act entitled: "An act to prohibit the employment of professional strikebreakers in a labor dispute and to limit the right to recruit employees to replace employees involved in a labor dispute." Referred to Committee on Labor and Employment Relations.

House Bill No. 783, introduced by Quilici, Flynn, Lynch, Lee, Edland, Menahan, Mehrens: A bill for an act entitled: "An act to amend Section 8-812, R.C.M. 1947, to require carriers to acknowledge receipt of claims for losses, investigate claims for losses promptly and dispose of them within a specified time or provide explanation for delay; to pay claims in full notwithstanding any limitation of liability contained in any contract; to authorize imposition of punitive damages where the aggrieved shipper successfully prosecutes his claim in court; and to make intrastate carriers liable to the full extent of losses to property carried by them." Referred to Committee on Highways and Transportation.

House Bill No. 784, introduced by Quilici, Lynch, Lee, Mehrens, Lombardi, Healy: A bill for an act entitled: "An act to amend Section 10-622, R.C.M. 1947, relating to the appointment and removal of probation officers for the juvenile departments of district courts; providing tenure of office; and providing an effective date." Referred to Committee on Judiciary.

House Bill No. 785, introduced by Swanberg, Johnston, Selstad, Kessner: A bill for an act entitled: "An act subrogating the Department of Social and Rehabilitation Services to the right of a child or children or person having the custody of such child or children to prosecute and recover upon support obligations owed by an obligor parent in the amount of public assistance payments made to such child or children or the amount of court ordered support, whichever is less." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 786, introduced by Swanberg, Cox, Fasbender, Haines, Tierney, Baucus: A bill for an act entitled: "An act amending Section 4-170, R.C.M. 1947, to allow the publication or display of advertisements concerning liquor if permitted by the regulations of the Department of Revenue." Referred to Committee on Business and Industry.

House Bill No. 787, introduced by Bradley, Mehrens, Menahan, Tierney, Healy, Huennekens, Lynch: A bill for an act entitled: "An act prohibiting an employer from requiring an employee or prospective employee to take a lie detector test as a condition of obtaining or continuing employment; providing a penalty; and providing an effective date." Referred to Committee on Labor and Employment Relations.

House Bill No. 788, introduced by Regan, Gerke, Yardley, Stoltz, Bardanouve, Fasbender: A bill for an act entitled: "An act to repeal Section 84-429.8, R.C.M. 1947, which authorizes an annual tax for the property tax administration fund." Referred to Committee on Taxation.

House Bill No. 789, introduced by Tierney: A bill for an act entitled: "An act specifying the powers of trustees; providing an effective date; and repealing Sections 86-312, 86-327, and 86-607, R.C.M. 1947." Referred to Committee on Judiciary.

House Bill No. 790, introduced by State Administration Committee: A bill for an act entitled: "An act to amend Sections 43-218, 43-310 and 43-311, R.C.M. 1947, to implement the legislative recommendations of the majority report of the Montana Salary Commission by increasing the compensation of elective officials in the Legislative Branch; and providing for an effective date." Referred to Committee on State Administration.

House Joint Resolution No. 45, introduced by Schepens, Huennekens, Lucas, Prevost: A Joint Resolution of the Senate and the House of Representatives of the State of Montana directing the Department of Natural Resources and Conservation to undertake studies of the groundwater resources of Montana. Referred to Committee on Natural Resources.

Senate Joint Resolution No. 46 introduced by Bollinger: A Joint Resolution of the Senate and the House of Representatives of the State of Montana prescribing the duties and compensation of legislative employees. Referred to Committee on Finance and Claims.

SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)

Fasbender moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading, under the rules of the previous sitting.

Motion carried.

Greely in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

January 12, 1974

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That Senate amendments to House Joint Resolution No. 4 be not concurred in. (79-19)

That the Committee rise and report.

GREELY, Chairman

Report adopted.

THIRD READING OF BILLS

Kvaalen moved that consideration of House Bill No. 706 on Third Reading be delayed until Monday, January 14, 1974.

Motion failed to pass. (36-59)

The following bill having been read three several times, title and history agreed to, was disposed of in the following manner:

House Bill No. 706 was passed by the following vote:

Ayes: Ainsworth, Baeth, Baucus, Brand, Brown, Campbell, Castles, Clemow, Cox, Driscoll, Fasbender, Fleming, Flynn, Glennen, Greely, Gunderson, Hageman, Haines, Hall, R. Harper, Healy, Hodges, Huennekens, Johnston, Kendall, Kessner, Kimble, Kosena, Laas, Lee, Lockrem, Lombardi, Lucas, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Mehrens, Menahan, Murphy, Norman, Prevost, Quilici, Regan, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Ulmer, Warfield, Yardley, Mr. Speaker. Total 56.

Noes: Aageson, Asbjornson, Bardanouve, Barrett, Bell, Bennetts, Bradley, Burnett, Colberg, Cotton, East, Edland, Ellerd, Fagg, Forsgren, Galt, Hager, Halvorson, H. Harper, Holmes, Holtz, Hubing, Jacobsen, Jones, Kolstad, Kvaalen, Lien, Lund, Marks, Mercer, Olson, Roberts, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Turman, Turner, Walborn, Watt. Total 42.

Paired: Ayes: Cox, Hall, Lockrem. Noes: Fagg, Mercer, Walborn.

Excused: Rolfe, Zimmer. Total 2.

Absent or not voting: None.

MOTIONS

Fasbender moved that the Speaker appoint a conference committee to meet with a like committee from the Senate on Senate amendments to House Joint Resolution No. 4.

Motion carried.

Fasbender moved that the House adjourn until 1:30 p.m., January 14, 1974.

Motion carried.

House adjourned.

HAROLD E. GERKE, Speaker

EDWIN A. SMITH, Chief Clerk

SEVENTH LEGISLATIVE DAY

Helena, Montana
January 14, 1974

House Chambers
Capitol Building

House convened at 1:30 p.m., Mr. Speaker in the Chair.

Invocation by the Chaplain.

Pledge of Allegiance to the Flag.

Roll call. All members present except Lockrem and Fagg, excused.

Quorum present.

Mr. Speaker: We, your Committee on Bills and Journal, having examined the daily journal for the Sixth Legislative Day, find the same to be correct.

QUILICI, Chairman

COMMUNICATIONS AND PETITIONS

The Speaker announced the following changes in committee assignments: Galt will be assigned to the Committee on Education and taken off the Committee on Fish and Game; and Hubing will be assigned to the Committee on Fish and Game and taken off the Committee on Education.

REPORTS OF STANDING COMMITTEES

January 14, 1974

Mr. Speaker: We, your Committee on Public Health, having had under consideration House Bill No. 202, respectfully report as follows: That House Bill No. 202 be amended as follows:

Amend page 1, line 6, of the second reading bill, by striking the figures "94-3616", and

Further amend page 1, line 10, of the second reading bill, by striking the remainder of the title following the word "State" and inserting in lieu thereof the punctuation ".", and

Further amend page 1, lines 19, 20 and 21 of the second reading bill, following the word "but" by striking the words "is an integral part of health delivery system in a community, and it", and

Further amend page 1, line 22, of the second reading bill, following the word "that" by striking the remainder of the bill in its entirety and inserting in lieu thereof the following material:

"as a part of family planning, contraceptive procedures, non-prescription supplies, information and related health services should be made more readily available to persons in Montana, and that it is desirable that unnecessary inhibitions and restrictions be eliminated so that persons desiring such procedures, supplies, information and services shall have ready and practicable access thereto, within the limits prescribed by law and be made aware of the availability thereof.

Section 2. The state, its political subdivisions and appropriate agencies and departments thereof shall, consistent with existing law, encourage family planning in Montana and the greater dissemination of information as to the availability of family planning services.", and

As amended, do pass.

LEE, Chairman

Report adopted.

January 14, 1974

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 298, respectfully report as follows: That House Bill No. 298 be amended as follows:

Amend on page 1, line 12, title, by deleting the words "to authorize" and inserting in lieu thereof the new material: "relating to deposit of public funds by", and

Be further amended on page 1, line 13, title, after the word "treasurers" by deleting the material "to deposit public moneys in savings and loan association", and

Be further amended on page 2, Section 1, Subsection (1), line 12 of the original bill and on page 2, Section 1, Subsection (1), line 17 of the second reading bill after the word and punctuation "deposit;" by inserting the new material: "provided that the bank or banks or building and loan association or savings and loan association in which the money is deposited shall pay on the moneys the same rate of interest as is paid on money from private sources on the same terms. Refusal of any bank, building and loan association or savings and loan association to pay said interest rate shall constitute a waiver of that institution's right to participate in the ratable distribution of said moneys as set forth in Subsection (4) of this act," and

Be further amended on page 4, Section 1, Subsection (3), line 8 in the original bill and page 4, Section 1, Subsection (3), line 12 in the second reading bill after the word and punctuation "thereafter." by deleting all of Subsection (4) and inserting in lieu thereof the new material: "(4) (a) Demand deposits shall be placed only in banks. When more than one bank is available in any county, for the deposit of such county funds, or in any city or town for the deposit of such city or town funds, such demand deposits shall be distributed ratably among all of such banks qualifying therefor, substantially in proportion to the paid-in capital and surplus of each such bank willing to receive such demand deposits under the terms of this act, and it shall be the duty of said county, city or town treasurer to prorate all such demand deposits among all of the banks qualified to receive the same as in this act provided, to the end that an equitable distribution of such demand deposits shall be maintained.

(b) Such public moneys not necessary for immediate use by such county, city or town which are not invested in direct obligations of the United States government as authorized herein shall be placed in time or savings deposits with any bank, building and loan association or savings and loan association in the county, city or town. When more than one bank, building and loan association or savings and loan association is available in any county, for the deposit of such county funds, or in any city or town for the deposit of such city or town funds, such funds shall be distributed ratably among all of such banks, building and loan associations and savings and loan associations qualifying therefor, substantially in proportion to the total property taxes paid in such county or the county in which such city or town is located during the preceding year, including taxes on shares of bank stock, by each such bank, building and loan association or savings and loan association willing to receive such time or savings deposits under the terms of this act, and it shall be the duty of said county, city or town treasurer to prorate all such time or savings deposits among all of the banks, building and loan associations and savings and loan associations qualified to receive the same as in this act provided, to the end that an equitable distribution of such time or savings deposits shall be maintained.", and

As amended, do pass.

HALL, Chairman

Report adopted.

January 14, 1974

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 300, respectfully report as follows: That House Bill No. 300 be amended as follows:

Be amended on page 1, line 7, title, of the original bill and on page 1, line 12, title, of the second reading bill after the numbers and punctuation "1947," by deleting the words "to authorize" and inserting in lieu thereof the new material: "relating to", and

Be further amended on page 1, line 8, title of the original bill and on page 1, line 13, title, of the second reading bill after the word "moneys" by deleting the material "in savings and loan association", and

Be further amended on page 1, Section 1, line 14, of the original bill and on page 1, Section 1, line 19, of the second reading bill after the punctuation and figures "'79-301.'" by deleting all of the written material through and including Subsection (5) ending on page 6, line 7, of the original bill and on page 6, line 12, of the second reading bill and inserting in lieu thereof the new material: "Deposit of funds in the hands of the state treasurer. (1) Under the direction of the board of investments, the state treasurer shall deposit public moneys in his possession and under his control in solvent banks, building and loan associations, and savings and loan associations located in the state, except as otherwise provided by law, subject to national supervision or state examination. The board of investments may require the payment of quarter annual interest on daily balances of collected funds at a rate to be agreed upon between the depository banks, building and loan associations, and savings and loan associations and the board of investments, which rate shall be fixed semiannually during the months of July and January of each year.

(2) No such deposits in excess of the amount insured by the federal deposit insurance corporation or federal savings and loan insurance corporation shall be made unless the bank, building and loan association and savings and loan association first delivers to the state treasurer or deposits in trust with some solvent bank as hereinafter provided, as security therefor, bonds or other obligations of the kinds listed in Section 4 of this act, having a market value at least equal to the amount of such deposits in excess of the amount so insured. The board of investments may require security of a greater value. When negotiable securities are placed in trust, the trustees' receipt may be accepted instead of the actual securities if the receipt is in favor of the state treasurer, his successors in office, and the state of Montana, and the form of receipt and the trustee have been approved by the board of investments.

(3) When moneys have been deposited, under the board of investments and in accordance with the law, the treasurer is not liable for loss on account of any such deposit occurring from any cause other than his own neglect or fraud. The state treasurer shall deposit funds in such banks, building and loan associations and savings and loan associations, and in such amounts as may be designated by the board of investments, and withdraw such deposits when instructed to by the board of investments. The state treasurer shall withdraw all deposits, or any part thereof, from time to time, to pay and discharge the legal obligations of the state, duly presented to him in accordance with the law.

(4) Any bank, building and loan association and savings and loan association pledging securities as provided in this section may at any time substitute securities for any part of the securities pledged. The collateral so substituted shall conform to Section 4 of this act and have a market value at least sufficient for compliance with Subsection (2) above. If the securities so substituted are held in trust, the trustee shall, on the same day the substitution is made, forward by registered or certified mail to the state treasurer and to the depository bank, a receipt specifically describing and identifying both the securities substituted and those released and returned to the depository bank.", and

Be further amended on page 6, Section 2, line 22, of the original bill and on page 7, Section 2, line 2, of the second reading bill after the word and punctuation "debtors." by deleting the material: "provided, however, as between banks and savings and loans associations and building and loan associations no such depository shall receive deposits at a higher rate of interest for that particular deposit

than the maximum authorized by federal law or regulation for any other such depository.", and

Be further amended on page 6, Section 3, line 25, of the original bill and on page 7, Section 3, line 10, of the second reading bill after the punctuation and numbers "'79-306." by deleting all of the written material through and including page 8, Section 3, line 5, of the original bill and page 8, Section 3, line 16 of the second reading bill and inserting in lieu thereof the new material: "State treasurer as treasurer of state agencies—deposits of moneys. (1) The state treasurer is designated the treasurer of every state agency and institution.

(2) All state agencies and institutions shall deposit daily all moneys, credits, evidences of indebtedness, and securities either in banks, building and loan associations or savings and loan associations located in the city or town in which the agencies and institutions are situated if there is a qualified bank, building and loan association or savings and loan association in the city or town as designated by the state treasurer with the approval of the board of investments, or with the state treasurer. Such banks, building and loan association or savings and loan association shall pledge securities sufficient to cover the deposits at all times, and the deposits shall be made in the name of the state treasurer, and shall be subject to withdrawal at his option, and shall draw interest as other state moneys, in accordance with the provisions of Sections 79-301 and 79-302.

(3) Nothing in this chapter shall impair or otherwise affect any covenant entered into pursuant to law by any agency or institution respecting the segregation, deposit, and investments of any revenues or funds pledged for the payment and security of bonds or other obligations authorized to be issued by such agency, and all such funds shall be deposited and invested in accordance with such covenants notwithstanding any provision of this chapter.", and

As amended, do pass.

HALL, Chairman

Report adopted.

January 14, 1974

Mr. Speaker: We, your Committee on Public Health, having had under consideration House Bill No. 412, respectfully report as follows: That House Bill No. 412 be amended as follows in the original bill:

Amend title of bill, page 1, line 4, following second word "Act" by deleting remainder of title and insert in lieu thereof new language, "authorizing services and facilities for the developmentally disabled within Montana; enabling counties to levy a tax for the support of services and facilities for the developmentally disabled; establishing a state council for developmental disabilities services and facilities; and creating the "Montana Developmental Disabilities Services and Facilities Act of 1974.";

Further amend Section 1, page 2, line 3, by deleting material, "As used in this act;" and insert in lieu thereof language: "This act shall be known and may be cited as the "Montana Developmental Disabilities Services and Facilities Act of 1974."

Section 2. As used in this act:

(1) "Developmental disabilities" means disabilities attributable to mental retardation, cerebral palsy, epilepsy, autism, or any other neurological handicapping conditions closely related to mental retardation and requiring treatment similar to that required by mentally retarded individuals; which condition has continued or can be expected to continue indefinitely and constitutes a substantial handicap of such individuals.";

Further amend original bill, Section 1, Subsection (1), page 2, line 4, by deleting words and figures "(1) 'Public developmental'" and insert in lieu thereof words and figures "(2) 'Developmental'";

Further amend original bill, Section 1, Subsection (1), page 2, line 5, by striking the word "public" and striking the word "operating";

Further amend original bill, Section 1, Subsection (1), page 2, lines 6 through 10, by deleting in their entirety and insert in lieu thereof following material "offering care to the developmentally disabled on an inpatient, outpatient, residential, clinical or other programmatic basis";

Further amend original bill, Section 1, Subsection (2), page 2, line 11, by deleting words and figure "(2) 'Community comprehensive'" and insert in lieu thereof words and figure "(3) 'Comprehensive'";

Further amend original bill, Section 1, Subsection (2), page 2, line 14, after word "services" by deleting remainder of line 14 and lines 15 and 16, and insert in lieu thereof words "with the intention of providing alternatives to institutionalization:";

Further amend original bill, Section 1, Subsection (2) (g), page 2, line 23, by striking word "sheltered";

Further amend original bill, Section 1, Subsection (2) (p), page 3, line 8, after word "transportation" insert word "services";

Further amend original bill, Section 1, Subsection (2), page 3, line 9, by striking word "the" and insert in lieu thereof word "a";

Further amend original bill, Section 1, Subsection (2), page 3, line 10, after word "be" insert word "authorized";

Further amend original bill, Section 1, Subsection (2), page 3, line 10, by striking word "the" and insert in lieu thereof word "a";

Further amend original bill, Section 1, Subsection (2), page 3, lines 10 and 11, by deleting words and punctuation ", in writing,";

Further amend original bill, Section 1, Subsection (3), page 3, by deleting entire Subsection;

Further amend original bill, Section 2, page 3, lines 15 and 16, by deleting them in their entirety and insert in lieu thereof "Section 3. The State of Montana shall:";

Further amend original bill, Section 2, Subsection (2), page 3, line 19, after word "initiate" insert word "a";

Further amend original bill, Section 2, Subsection (2), page 3 and page 4, line 19, after word "developmentally" delete remainder of Subsection in its entirety and insert in lieu thereof new language "disabilities program, which program shall include, but not be limited to, the implementation of developmental disabilities care and treatment, and prevention and research as can best be accomplished by community centered services. Every means shall be utilized to initiate and operate such service programs in cooperation with local agencies, as established under provisions of Sections 5 and 7 of this act;";

Further amend original bill, Section 2, Subsection (5), page 4, line 8, after word "prepare" delete remainder of Subsection and insert following new language ", with the advice of the state council, created in Section 6 herein, an annual comprehensive plan for the initiation and maintenance of developmental disabilities services in the state. Such services shall include, but not be limited to, community comprehensive developmental disabilities services as referred to in Section 2.";

Further amend original bill, Section 2, Subsection (6), page 4, line 13, after word "the" delete remainder of Subsection and insert following new language "evaluation of persons who shall apply for services, or persons who shall be admitted either as inpatients or outpatients into the Boulder river school and hospital, or other developmental disability clinic.";

Further amend original bill, Section 2, Subsection (7), page 4, line 24, by striking words "for the development of" and insert in lieu thereof words "to initiate and maintain";

Further amend original bill, Section 3, page 5, line 1 and line 2, by striking lines in their entirety and insert in lieu thereof new language "Section 4. The State of Montana shall control";

Further amend original bill, Section 3, page 5, line 9, by striking word "public";

Further amend original bill, Section 3, page 5, line 10, after word "shall" delete remainder of Subsection and insert new language, "comply with existing federal guidelines and with requirements which will enable the services and facilities to qualify for available aid funds. However, nothing herein shall imply the necessity for facilities serving the developmentally disabled to meet the same or equal standards as licensed medical facilities, unless the developmental disabilities facility is providing professional or skilled medical care.";

Further amend original bill, Section 4, Subsection (1), page 5, line 14, by deleting line in its entirety and insert in lieu thereof new language "Section 5. (1) The State of Montana may";

Further amend original bill, Section 4, Subsection (1), page 5, line 15, by deleting word "conduct" and insert in lieu thereof word "administer";

Further amend original bill, Section 4, Subsection (1), page 5, line 16, by deleting first word "and" and insert in lieu thereof word "or";

Further amend original bill, Section 4, Subsection (1), page 5, line 16, by striking words "in towns and areas of" and insert in lieu thereof word "throughout";

Further amend original bill, Section 4, Subsection (1), page 5, line 17, after word "prevention" delete remainder of Subsection and insert in lieu thereof new language ", diagnosis, amelioration or treatment of developmental disabilities. Such centers, clinics or other services may be provided directly by state agencies, or indirectly through contract or cooperative arrangements with other agencies of government, regional or local, private or public agencies, private professional persons or in accredited health or long-term care facilities.";

Further amend original bill, Section 4, Subsection (2), page 6, line 1, strike word "shall" and insert in lieu thereof word "may";

Further amend original bill, after Section 4, Subsection (2), page 6, line 3, by inserting following new language:

"Section 6. For purposes of administration of this act, there is hereby created the Montana state council of developmental disabilities services and facilities, hereinafter referred to as the "state council."

(1) The state council shall be composed of twenty-three (23) members, appointed or reappointed annually by the governor, and shall consist of the following:

(a) one-third ($\frac{1}{3}$) of the members shall be consumers or representatives of consumers or consumer organizations in the disciplines of developmental disabilities;

(b) the director or deputy director of the departments of social and rehabilitation services, health and environmental sciences, institutions, and labor;

(c) the superintendent of public instruction, or a deputy designated by the superintendent of public instruction;

(d) one (1) recognized private professional in each of the disciplines of medicine, law, psychology, social work, and education;

(e) two (2) members of the state Senate;

(f) two (2) members of the state House of Representatives;

(g) the administrator of the division of vocational rehabilitation;

(h) the remaining member shall be appointed from the public at large;

(2) The state council shall meet no less frequently than four (4) times per year, and may meet more frequently at the call of the chair. The state council shall annually choose its own chairman, vice chairman, and secretary.

(a) Members of the state council who are not full-time employees of the state of Montana shall be reimbursed for actual and necessary costs of travel and other expenses incident to attending meetings and in the authorized performance of their duties.

(b) Such members, who are not full-time employees of the state of Montana, shall be paid an honorarium for each day of official duty in an amount established by the state council, but not to exceed any limit established by law.

(3) The state council shall be the supervisory authority over the activities and decisions of the regional councils authorized herein, and shall provide advice to state agencies in the provision or purchase of services for the developmentally disabled, and in the expenditure of funds granted or appropriated for the benefit of the developmentally disabled.

(4) The state council shall have such other jurisdiction and responsibility as may be assigned by the governor, or as required by federal law or regulation.

(5) For administrative purposes, the state council may be attached to a state department by executive order, or in lieu of such order, the state council shall be attached to the department of social and rehabilitation services.

(6) The state council shall be authorized to employ and supervise such full-time staff personnel as is necessary in the performance of the duties herein described.

Section 7. (1) For further purposes of administration of this act, developmental disability regions shall be established within the state, which regions shall conform with existing mental health regions.

(2) Upon establishment of a developmental disability region, a governing board of directors shall be created, with the following composition:

(a) One (1) member shall be appointed by the board of county commissioners of each of the participating counties within the region.

(b) Two (2) members, who shall be residents of the region, shall be appointed by the governor.

(c) Members of a regional board shall be appointed or reappointed annually.

(d) The state council shall promulgate guidelines for the administration of regional boards.

(3) The duties of organized regional developmental disabilities boards shall include:

(a) annual review and evaluation of needs and services within said region; and

(b) submitting to the state council, the appropriate state agencies, and to each of the participating counties within the region,";

Further amend original bill, Section 5, Subsections (1), (2) and (3), page 6 by deleting lines 4 through 22 in their entirety;

Further amend original bill, Section 5, Subsection (3) (b), page 6, line 23, by deleting word "of";

Further amend original bill, Section 5, Subsection (3)(c), page 7, line 3, strike word "service" and insert in lieu thereof word "services";

Further amend original bill, Section 5, Subsection (3)(d), page 7, line 8, strike words "receipts for" and insert in lieu thereof words "receipt of";

Further amend original bill, Section 5, Subsection (4), page 7, line 16, after word "members" insert new language ", who are not full-time employees of the state of Montana or of a county,";

Further amend original bill, Section 5, Subsection (4), page 7, line 19, strike first word "board";

Further amend original bill, Section 5, Subsection (5), page 7, line 21, strike word "may" and insert in lieu thereof word "shall";

Further amend original bill, Section 5, Subsection (5), page 7, line 23, strike word "specifying" and insert in lieu thereof words "which shall specify";

Further amend original bill, Section 5, Subsection (5), page 7, line 24, strike word

"board's" and further amend line 25 by striking line in its entirety and insert in lieu thereof "developmental disabilities' budget.";

Further amend original bill, Section 5, Subsection (5), page 8, lines 1 through 7, by deleting in their entirety and further amend Subsection (6), page 8 by deleting in its entirety and inserting in lieu thereof the following new language:

"(a) Upon written agreement between the regional board and the county, the county shall be designated as a participating county.

(b) Non-participating counties may be assessed fees for developmental disability services which are provided to residents of such non-participating counties.

The schedule of fees may be established by the regional board of developmental disabilities, with the approval of the state council. Such fees shall be an obligation of the county and may be received by the regional board to be used to provide approved services.

Section 8. Every county of the state shall annually budget and appropriate for the establishment, support and operation of public developmental disabilities facilities and services an amount equal to fifty cents (\$.50) per capita of the population of such county as shown by the division of planning and economic development of the state department of intergovernmental relations. The appropriation may be in an amount greater than the minimum herein provided and shall be made under the authority contained in Section 9 herein and may be appropriated either out of the general fund of the county or by use of the permissive special mill levy as herein provided.

Section 9. (1) The boards of county commissioners of the several counties and the governing bodies of municipalities of this state, may, in their discretion, contribute sums of money annually to any developmental disabilities facility approved by the state of Montana, or to each of such facilities, without regard to whether they are within or outside of their respective jurisdictions. The boards of county commissioners of the several counties may levy a tax up to, but not to exceed, one (1) mill on each dollar of taxable property within the county, which tax levy hereby authorized shall be in addition to all other county tax levies, all proceeds of which tax, if levied, shall be used for the sole purpose of support of such developmental disabilities facilities.

(2) For the purpose of carrying out the provisions of this section, such boards of county commissioners and such governing bodies of municipalities may appropriate out of the general fund of their respective counties or municipalities.

Section 10. In the event that funds appropriated by the legislature for any fiscal year are not equal to the amount generated by the counties by authority of this act, the counties may reduce their appropriations by an equal amount so that all funds expended for programming purposes under this act shall be on a dollar for dollar matching basis between the counties and the state.

Section 11. Any person suspected of a developmental disability shall be eligible for initial intake and for diagnostic and counseling services through any comprehensive developmental disability center, without reference to any other eligibility criteria.

Section 12. For purposes of this act, Indian people living within federal Indian reservations shall be entitled to all services provided for under this act.";

Further amend original bill, Section 6, page 8, line 16, strike figure "6" and insert in lieu thereof figure "13";

Further amend original bill, Section 6, page 8, line 18, by striking words "services or" and further amend after word "facilities" insert words "or services in the state";

Further amend original bill, Section 7, page 8, line 19, by deleting entire line and further amend line 20 by striking words "retardation of the department of institutions" and insert in lieu thereof new language "Section 14. The services provided under this act";

Further amend original bill after Section 7, page 8, line 24, add following new language "Section 15. Severability. It is the intent of the legislative assembly that

if a part of this act is invalid, all valid parts that are severable from the invalid part remain in effect. If the part of this act is invalid in one or more of its applications, the part remains in effect in all valid applications that are severable from the invalid applications.”, and

As amended, do pass.

LEE, Chairman

Report adopted.

January 14, 1974

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Bill No. 604, respectfully report as follows: That House Bill No. 604 do not pass.

STAIGMILLER, Chairman

January 12, 1974

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 680, respectfully report as follows: That House Bill No. 680 do not pass.

BRAND, Chairman

January 14, 1974

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration House Bill No. 687, respectfully report as follows: That House Bill No. 687 do pass.

LOMBARDI, Chairman

Report adopted.

In accordance with the 24 hour rule, the adverse committee report on House Resolution No. 13 was adopted by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Campbell, Castles, Clemow, Colberg, Cotton, Cox, East, Edland, Fasbender, Fleming, Flynn, Forsgren, Glennen, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lombardi, Lucas, Lund, Lundgren, McKittrick, Mann, Manuel, Marbut, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Staigmiller, Stephens, Stoltz, Turman, Turner, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 81.

Noes: Driscoll, Greely, Towe. Total 3.

Excused: Fagg, Lockrem. Total 2.

Absent or not voting: Brand, Brown, Burnett, Ellerd, Galt, Hodges, Kimble, Lynch, Marks, Roberts, Smith, Swanberg, Tierney, Ulmer. Total 14.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 189 was adopted by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 96.

Noes: None.

Excused: Fagg, Lockrem. Total 2.

Absent or not voting: Brand, Ellerd. Total 2.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 337 was adopted by the following vote:

Ayes: Ageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brown, Campbell, Castles, Clemow, Cotton, Cox, Driscoll, East, Edland, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kosena, Kvaalen, Laas, Lee, Lien, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 91.

Noes: Burnett, Kolstad. Total 2.

Excused: Fagg, Lockrem. Total 2.

Absent or not voting: Brand, Colberg, Ellerd, Selstad, Zimmer. Total 5.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 401 was adopted by the following vote:

Ayes: Ageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Shelden, Smith, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 91.

Noes: Bell, Burnett, Mehrens, Selstad. Total 4.

Excused: Fagg, Lockrem. Total 2.

Absent or not voting: Ellerd, Staigmiller, Walborn. Total 3.

MESSAGES FROM THE GOVERNOR

January 12, 1974

Honorable W. Gordon McOmber
President of the Senate
State Capitol
Helena, Montana

Dear Sir:

I have the honor to inform you that I have this day signed Senate Bill No. 511.

Sincerely,

THOMAS L. JUDGE
Governor

cc: Honorable Harold Gerke

MESSAGES FROM THE OTHER HOUSE

January 12, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate did this day fail to concur in House amendments to Senate Joint Resolution No. 41 and the President was authorized to appoint a Free Conference Committee to meet with a like committee from the House to confer on said Resolution.

The President appointed the following members:

Senator Lynch, Chairman
Senator Turnage
Senator McDonald

Respectfully,

JOHN N. HANSON
Secretary of the Senate

January 12, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read three several times and concurred in as amended, title and history agreed to, and the bills are herewith returned to the House for concurrence in Senate amendments:

House Bill No. 297, introduced by Bardanouve

House Bill No. 299, introduced by Bardanouve

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

MOTIONS

Fasbender moved that the Speaker appoint a Free Conference Committee to meet with a like committee from the Senate to confer upon Senate Joint Resolution No. 41.

Motion carried.

The Speaker appointed Fasbender, Laas and Lucas.

Watt moved that House Bill No. 761 be taken from the Committee on Taxation and be re-referred to the Committee on Business and Industry.

Motion carried.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

House Bill No. 791, introduced by Lockrem, Lucas, Tierney, Haines: A bill for an act entitled: "An act to provide for an abatement tax credit to Montana taxpayers for the taxable years beginning after December 31, 1973 and before January 1, 1975." Referred to Committee on Taxation.

House Bill No. 792, introduced by Driscoll, Baucus: A bill for an act entitled: "An act limiting the authority of the Public Service Commission to grant rate increases for the initial consumption blocks of gas and electricity used by domestic consumers; and providing an effective date." Referred to Committee on Business and Industry.

House Bill No. 793, introduced by Healy, Gerke, Tierney: A bill for an act entitled: "An act to repeal Section 60-225, R.C.M. 1947, relating to petroleum dealer place of business license fees." Referred to Committee on Business and Industry.

House Bill No. 794, introduced by Kendall, Turman: A bill for an act entitled:

"An act to amend Section 11-950, R.C.M. 1947, to increase the authorized fines and penalties for violation of a city ordinance." Referred to Committee on Local Government.

House Bill No. 795, introduced by Shelden, Turman, Baucus, Colberg, Bradley, Lucas, Brown, Fagg: A bill for an act entitled: "An act amending the open space land act and providing for conservation easements; amending Sections 62-601, 62-602, 62-603, 62-604, 62-605, 62-608, 67-601, and 67-602, R.C.M. 1947." Referred to Committee on Natural Resources.

House Bill No. 796, introduced by Schye, Cotton, Holtz, Turner, Kendall: A bill for an act entitled: "An act to remove the minimum limits of coverage required for casualty and liability policies procured by a governmental entity; amending Section 82-4303, R.C.M. 1947; and repealing Section 82-4307." Referred to Committee on State Administration.

House Bill No. 797, introduced by Hall, McKittrick: A bill for an act entitled: "An act for the general revision of the laws relating to abused, neglected and dependent children or youth; and repealing Sections 10-501 through 10-519, R.C.M. 1947." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 798, introduced by Hall, McKittrick: A bill for an act entitled: "An act for the general revision of the laws relating to juveniles and juvenile courts; providing for other matters relating to treatment and procedures concerning youth; amending Sections 10-615, 10-627, 10-628, 10-631, 10-1101, 10-1102, 10-1103, 10-1104, 10-1105, 10-1106, 10-1107, 10-1108, 10-1109, 10-1110, 10-1111, and 94-2-109, R.C.M. 1947; and repealing Sections 10-601, 10-602, 10-603, 10-604.1, 10-605.1, 10-606, 10-607, 10-608, 10-608.1, 10-610, 10-611, 10-611.1, 10-612, 10-613, 10-614, 10-616, 10-617, 10-621, 10-622, 10-623, 10-624, 10-625, 10-626, 10-629, 10-630, and 10-633." Referred to Committee on Judiciary.

House Bill No. 799, introduced by Swanberg: A bill for an act entitled: "An act to amend Section 84-5403, R.C.M. 1947, to provide for the depreciation of machinery and equipment over a ten year period at the rate of ten percent (10%) per year." Referred to Committee on Business and Industry.

House Bill No. 800, introduced by Gunderson, Yardley, Gerke, Barrett, Warfield: A bill for an act entitled: "An act amending Section 75-6917, R.C.M. 1947, to transfer unexpended public school equalization monies to the permissive levy deficiency fund to reduce the statewide permissive levy deficiency levy; and providing an effective date." Referred to Committee on Education.

House Bill No. 801, introduced by Watt, H. Harper, Schepens, Zimmer, Ulmer: A bill for an act entitled: "An act to amend Section 89-867, R.C.M. 1947, to provide that a use of water for slurry which will be exported from Montana is not a beneficial use." Referred to Committee on Natural Resources.

House Joint Resolution No. 46, introduced by Ulmer, Lucas, Kvaalen, Burnett: A Joint Resolution of the Senate and the House of Representatives of the State of Montana submitting to the qualified electors of Montana an amendment to Article V, Section 6, of the Constitution of Montana providing that the legislature meet once a biennium in regular session. Referred to Committee on Constitution, Elections and Federal Relations.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Fasbender moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading under the rules of the previous sitting.

Motion carried.

Tierney in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

January 14, 1974

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That House Bill No. 641 do pass. (98-0)

That House Bill No. 674 be amended on page 1, line 16, after the words "County Attorney of" by adding the word "the", (94-0), and

As amended, do pass. (97-0)

That the Senate amendments to House Bill No. 297 be concurred in. (93-1)

That the Senate amendments to House Bill No. 299 be concurred in. (91-1)

That the committee rise and report.

TIERNEY, Chairman

Report adopted.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 224 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greeley, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Rolfe, Schepens, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 95.

Noes: Swanberg. Total 1.

Excused: Fagg, Lockrem. Total 2.

Absent or not voting: Roberts, Schye. Total 2.

REPORTS OF STANDING COMMITTEES

January 12, 1974
reported on January 14

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills considered correctly engrossed: House Bill No. 224.

QUILICI, Chairman

MOTIONS

Bennetts moved that the names of the sponsors on House Joint Resolution No. 39 be relisted to show Bennetts name first.

Motion carried.

UNFINISHED BUSINESS

The Speaker appointed the following committee to meet with a like committee from the Senate on Senate Amendments to House Joint Resolution No. 4: Regan, Chairman; Norman and Castles.

Fasbender moved that the House recess subject to the call of the Chair.

House resumed.

Mr. Speaker in the Chair.

REPORTS OF SELECT COMMITTEES

January 14, 1974

Free Joint Conference Committee Report
Senate Joint Resolution No. 41

Mr. President and Speaker of the House:

We, your Free Joint Senate and House Conference Committee on Senate Joint Resolution No. 41 beg leave to report as follows:

That we met this day and considered Senate Joint Resolution No. 41 and recommend as follows:

That the Senate accede to the House amendments to Senate Joint Resolution No. 41 dated January 10, 1974;

That Senate Joint Resolution No. 41 be further amended in Joint Rules 6-7 by adding the following new paragraph:

Joint Resolutions affecting rules adopted in the Montana Administrative Code may be introduced and transmitted at any time during a session;

And that Senate Joint Resolution No. 41 as so amended be concurred in.

For the Senate:

LYNCH, TURNAGE, McDONALD

For the House:

FASBENDER, LAAS, LUCAS

Fasbender moved for adoption of the committee report and the the committee be dissolved.

Motion carried by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Hageman, Haines, Hall, Halvorson, H. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kosena, Kvaalen, Laas, Lien, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Turman, Turner, Ulmer, Walborn, Warfield, Yardley, Mr. Speaker. Total 85.

Noes: Burnett, Edland, Kolstad. Total 3.

Excused: Fagg, Lockrem. Total 2.

Absent or not voting: Baucus, Ellerd, Gunderson, Hager, R. Harper, Lee, Marks, Towe, Watt, Zimmer. Total 10.

REPORTS OF STANDING COMMITTEES

January 14, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly printed: House Bill No. 587, House Bill No. 624, House Bill No. 662, House Joint Resolution No. 39.

FLEMING, Chairman

Fasbender moved that the House adjourn until 1:30 p.m., January 15, 1974.

Motion carried.

House adjourned.

HAROLD E. GERKE, Speaker

EDWIN A. SMITH, Chief Clerk

EIGHTH LEGISLATIVE DAY

Helena, Montana
January 15, 1974

House Chambers
Capitol Building

House convened at 1:30 p.m., Mr. Speaker in the Chair.

Invocation by the Chaplain.

Pledge of Allegiance to the Flag.

Roll call. All members present.

Quorum present.

Mr. Speaker: We, your Committee on Bills and Journal, having examined the daily journal for the Seventh Legislative Day, find the same to be correct.

FLEMING, Vice-Chairman

REPORTS OF STANDING COMMITTEES

January 15, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill considered correctly engrossed: House Bill 641.

QUILICI, Chairman

January 15, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill correctly printed: House Bill 687.

QUILICI, Chairman

January 14, 1974

Mr. Speaker: We, your Committee on Agriculture, Livestock and Irrigation, having had under consideration House Bill No. 316, respectfully report as follows: That House Bill No. 316 do not pass.

FLEMING, Chairman

January 14, 1974

Mr. Speaker: We, your Committee on Agriculture, Livestock and Irrigation, having had under consideration House Bill No. 355, respectfully report as follows: That House Bill No. 355 do not pass.

FLEMING, Chairman

January 15, 1974

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 521, respectfully report as follows: That House Bill No. 521 do not pass.

LEE, Chairman

January 15, 1974

Mr. Speaker: We, your Committee on Natural Resources, having had under consideration House Bill No. 554, respectfully report as follows: That House Bill No. 554 do not pass.

SHELDEN, Chairman

January 14, 1974

Mr. Speaker: We, your Committee on Agriculture, Livestock and Irrigation, hav-

ing had under consideration House Bill No. 563, respectfully report as follows: That House Bill No. 563 do not pass.

FLEMING, Chairman

January 14, 1974

Mr. Speaker: We, your Committee on Agriculture, Livestock and Irrigation, having had under consideration House Bill No. 601, respectfully report as follows: That House Bill No. 601 do not pass.

FLEMING, Chairman

January 15, 1974

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 691, respectfully report as follows: That House Bill No. 691 do not pass.

LEE, Chairman

January 14, 1974

Mr. Speaker: We, your Committee on Agriculture, Livestock and Irrigation, having had under consideration House Bill No. 715, respectfully report as follows: That House Bill No. 715 do pass.

FLEMING, Chairman

Report adopted.

January 14, 1974

Mr. Speaker: We, your Committee on Agriculture, Livestock and Irrigation, having had under consideration House Resolution No. 5, respectfully report as follows: That House Resolution No. 5 do not pass.

FLEMING, Chairman

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 604 was adopted by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fasbender, Fleming, Flynn, Forsgren, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Hueenekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lombardi, Lucas, Lund, Lundgren, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Seifert, Selstad, Shelden, Smith, Staigmilller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Yardley, Zimmer, Mr. Speaker. Total 92.

Noes: Lynch, Menahan. Total 2.

Excused: None.

Absent or not voting: Bennetts, Fagg, Galt, Lockrem, Schye, Watt. Total 6.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 680 was adopted by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Colberg, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Seifert, Selstad, Shelden, Smith, Staigmilller,

Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 93.

Noes: None.

Excused: None.

Absent or not voting: Bell, Clemow, Cotton, Hageman, Holtz, Schye, Zimmer. Total 7.

MESSAGES FROM THE OTHER HOUSE

January 14, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day adopted the Free Joint Senate and House Conference Committee report on Senate Joint Resolution No. 41.

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

January 14, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was this day, on Committee Report and duly adopted, recommended for nonconcurrence and the bill is herewith returned to the House:

House Bill No. 52, introduced by Hodges

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

January 14, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that House Bill No. 200 was this day on the Committee of the Whole recommended said bill be not concurred in, report adopted, the bill is herewith returned to the House.

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following bills were introduced, read first time and referred to committees:

House Bill No. 802, introduced by Norman: A bill for an act entitled: "An act providing the individual claimant or his designated attorney access to his own work and wage earnings records prior to a hearing to facilitate unemployment or workers' compensation claims; amending Section 87-124, R.C.M. 1947." Referred to Committee on Labor and Employment Relations.

House Bill No. 803, introduced by Swanberg, Greely: A bill for an act entitled: "An act to amend Section 69-4508, R.C.M. 1947, to authorize county financing of city-county and district Boards of Health." Referred to Committee on Local Government.

House Bill No. 804, introduced by Brand, Driscoll, Burnett, Lund: A bill for an

act entitled: "An act requiring the inspection of a livestock which dies in the feedlot of a livestock dealer; and providing a penalty." Referred to Committee on Agriculture, Livestock and Irrigation.

House Bill No. 805, introduced by Kosena: A bill for an act entitled: "An act partially implementing Article XI, Sections 3, 5, 6 and 9 of the 1972 Montana Constitution by providing for local government study commissions to study and make recommendations concerning the structure and powers of units of local government, authorizing a property tax mill levy; providing for an immediate effective date; and providing a termination date." Referred to Committee on Local Government.

House Bill No. 806, introduced by Cox, Barrett, Kvaalen, Prevost, Lynch, Menahan, Flynn, Warfield: A bill for an act entitled: An act to amend Section 75-7511, R.C.M. 1947, to provide for a self-supporting media library program and to establish a media library revolving fund." Referred to Committee on Education.

House Bill No. 807, introduced by Bell, Campbell, H. Harper, Bennetts, Castles: A bill for an act entitled: "An act authorizing Lewis and Clark County to charge the State of Montana for essential services supplied for the benefit of the State of Montana's capitol complex." Referred to Committee on State Administration.

House Bill No. 808, introduced by Manuel: A bill for an act entitled: "An act amending Section 24-138, R.C.M. 1947, to provide that persons moving houses or other structures outside the limits of cities or towns shall pay the cost of removing poles or raising or cutting wires." Referred to Committee on Business and Industry.

House Bill No. 809, introduced by R. Harper (by request): A bill for an act entitled: "An act excluding members of certain peer review committees and professional standards review committees from liability in certain cases; and providing an effective date." Referred to Committee on Judiciary.

House Bill No. 810, introduced by R. Harper: A bill for an act entitled: "An act to amend Section 64-207.1, R.C.M. 1947, providing that malice is presumed in an injurious publication." Referred to Committee on Judiciary.

House Bill No. 811, introduced by Brand: A bill for an act entitled: "An act to amend Sections 66-3204 and 66-3206, R.C.M. 1947, pertaining to qualifications for members of the State Board of Psychologist examiners; and pertaining to the examinations for licensing conducted by the board." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 812, introduced by Baeth: A bill for an act entitled: "An act to amend Section 92-425, R.C.M. 1947, relating to the definition of husband or widower in the Workmen's Compensation Act." Referred to Committee on Labor and Employment Relations.

House Bill No. 813, introduced by Glennen, Lien, Tierney, Laas: A bill for an act entitled: "An act amending Section 8-102, R.C.M. 1947, as amended by Chapter 172, Laws of 1973, providing that the provisions of said section requiring certain class C motor carriers to operate under a Class B motor carrier certificate shall not apply to solid waste contractors nor to any carrier whose authority is confined by certificate to transportation within a distance of fifty (50) miles or less from a particular location." Referred to Committee on Highways and Transportation.

House Bill No. 814, introduced by Kosena: A bill for an act entitled: "An act to establish county commissioner districts; providing for the election of county commissioners at large; repealing Section 16-902, R.C.M. 1947; and providing an effective date." Referred to Committee on Local Government.

House Bill No. 815, introduced by Asbjornson, Kendall, Cox, East: A bill for an act entitled: "An act creating the position of town clerk; abolishing the position of town treasurer; transferring the duties of a town treasurer to the town clerk; and amending Sections 11-703, 11-731, and 11-807, R.C.M. 1947." Referred to Committee on Local Government.

House Bill No. 816, introduced by Lee (by request): A bill for an act entitled: "An act relating to the electrical safety act; amending Section 66-2812, R.C.M. 1947, to clarify the exemptions to coverage of the act of power suppliers, individuals doing electrical work on their own property, signal or communications apparatus,

and apprentice electricians; and providing for an effective date." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 817, introduced by Lee (by request): A bill for an act entitled: "An act to amend Section 82A-1602, R.C.M. 1947, to change the name of the Board of Electricians to the State Electrical Board." Referred to Committee on Business and Industry.

House Bill No. 818, introduced by Fasbender, Hall, Ulmer, Lucas, Mercer: A bill for an act entitled: "An act to clarify the election provisions contained in Section 89-2330, R.C.M. 1947; amending Section 89-2330.1, R.C.M. 1947, relating to elections in drainage districts; and providing an effective date." Referred to Committee on Constitution, Elections and Federal Relations.

House Bill No. 819, introduced by Walborn, Schye: A bill for an act entitled: "An act to amend Section 75-6806, R.C.M. 1947, to require the publication of proceedings, lists of claims, and financial statements of school districts." Referred to Committee on Education.

House Bill No. 820, introduced by Hodges, Greely, Staigmler: A bill for an act entitled: "An act increasing income allowed taxpayers to qualify for Class 8 property tax classification; providing for the review of applications for such classification; and amending Section 84-301, R.C.M. 1947." Referred to Committee on Taxation.

House Bill No. 821, introduced by Edland, Jacobsen, Lien, Lund, Kolstad, Hager: A bill for an act entitled: "An act to amend Sections 3-805 and 3-806.1, R.C.M. 1947, delineating the duties of the Department of Agriculture and the grain and seed laboratory." Referred to Committee on Agriculture, Livestock and Irrigation.

House Bill No. 822, introduced by Driscoll, Flynn: A bill for an act entitled: "An act providing for licensing handicapped persons to operate motor-driven wheelchairs and invalid tricycles; exempting such vehicles from registration; requiring certain safety features; and amending Section 53-104, R.C.M. 1947." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 823, introduced by Brand, Menahan, Lee, Healy, Lynch: A bill for an act entitled: "An act to amend Section 59-1002, R.C.M. 1947, providing for accumulation of annual vacation leave for public officers and employees." Referred to Committee on Labor and Employment Relations.

House Bill No. 824, introduced by Brand, Lynch, Lee, Menahan: A bill for an act entitled: "An act creating the Three Forks Game Preserve." Referred to Committee on Fish and Game.

House Bill No. 825, introduced by Brand: A bill for an act entitled: "An act to amend Section 82-1918, R.C.M. 1947, raising the limit on the duration of contracts with the state to fifteen (15) years from three (3)." Referred to Committee on State Administration.

House Bill No. 826, introduced by Bardanouve, Fasbender: A bill for an act entitled: "An act providing that community colleges may henceforth be organized only by specific legislative authorization; and repealing Sections 75-8104 through 75-8113, R.C.M. 1947." Referred to Committee on Education.

House Bill No. 827, introduced by Towe, Marbut: A bill for an act entitled: "An act amending Sections 71-2001, 71-2003, 71-2004, 71-2005 and 71-2006, R.C.M. 1947, by transferring the administration of homes for the developmentally disabled from the Department of Institutions to the Department of Social Rehabilitation Services." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 828, introduced by Towe, Marbut: A bill for an act entitled: "An act to amend Section 69-5201, R.C.M. 1947, to define "Long-Term Care Facility" as a place which provides personal care to more than three (3) persons, rather than more than two (2) persons, as now defined." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 829, introduced by Towe: A bill for an act entitled: "An act providing for the imposition of a Montana income tax which is equal to a percentage

of the federal income tax payable on Montana taxable income; amending Sections 84-4903.1, 84-4924, and 84-4939, R.C.M. 1947; repealing 84-4901 through 84-4903, 84-4905, through 84-4910, 84-4912, 84-4914, 84-4915 and 84-4917, R.C.M. 1947; and providing an effective date." Referred to Committee on Taxation.

House Bill No. 830, introduced by Towe, Holmes, Huennekens, Cox, Glennen, Hager, R. Harper: A bill for an act entitled: "An act permitting persons entitled to a Class Eight property tax classification to submit a mailed, unnotarized application for classification to the Department of Revenue." Referred to Committee on Taxation.

House Bill No. 831, introduced by Towe, R. Harper, Huennekens, Driscoll, Bradley, Murphy: A bill for an act entitled: "An act submitting to the electorate at the November 1974 general election the question of whether or not the Public Service Commission shall use the original cost of utility property as a base for fixing rates." Referred to Committee on Business and Industry.

House Bill No. 832, introduced by Bardanouve: A bill for an act entitled: "An act to amend Section 79-1019, R.C.M. 1947, to allow appropriation transfers to be made from any available appropriation without regard for bienniums as justified by unforeseen and unanticipated emergencies." Referred to Committee on Finance and Claims.

House Bill No. 833, introduced by Cotton: A bill for an act entitled: "An act revising the provisions permitting high school district boundary changes, amending Section 75-6525, R.C.M. 1947." Referred to Committee on Education.

House Bill No. 834, introduced by Cotton: A bill for an act entitled: "An act revising the procedures for review of petitions to change high school district boundaries, amending Section 75-6526, R.C.M. 1947." Referred to Committee on Education.

House Bill No. 835, introduced by Schepens, Huennekens, Prevost, Flynn, Olson: A bill for an act entitled: "An act prescribing priorities among categories of water use for the purpose of determining rights to water; and amending Section 89-891, R.C.M. 1947." Referred to Committee on Natural Resources.

House Bill No. 836, introduced by Schepens, Huennekens, Flynn, Prevost, Olson: A bill for an act entitled: "An act declaring a policy of maintaining a minimum streamflow in the Yellowstone River and its tributaries sufficient to safeguard existing water uses." Referred to Committee on Natural Resources.

House Bill No. 837, introduced by Healy, Lombardi, Lynch, Mehrens, Asbjornson, Cox, Kosena: A bill for an act entitled: "An act amending Section 53-107, R.C.M. 1947, removing the requirement that a motor vehicle registration certificate be carried at all times." Referred to Committee on Highways and Transportation.

House Bill No. 838, introduced by Cotton, Shelden, Cox, Driscoll, Barrett, Forsgren, Gunderson: A bill for an act entitled: "An act amending Section 75-6105.1, R.C.M. 1947, to provide upon request a statement of reasons and hearing before the trustees on termination of employment of a public school teacher." Referred to Committee on Education.

House Bill No. 839, introduced by Cotton, Shelden, Cox, Driscoll, Barrett, Forsgren, Gunderson: A bill for an act entitled: "An act amending Section 75-6122, R.C.M. 1947, to provide that provisions contained in individual teacher contracts shall be consistent with the provisions of the negotiated agreement." Referred to Committee on Education.

House Bill No. 840, introduced by Lundgren: A bill for an act entitled: "An act amending Section 4-169, R.C.M. 1947, to remove archaic language no longer applicable regarding liquor in hotels." Referred to Committee on Business and Industry.

House Bill No. 841, introduced by Lynch, Regan, Murphy, Flynn, Lee, Clemow, Haines, Johnston, Kolstad, Quilici, Lombardi, Healy, Mehrens, Kosena, Stephens, Jones, Lundgren, Schye, Marbut, Ainsworth, Driscoll, Bardanouve, Huennekens, H. Harper, Laas, Greely, Lien, Kimble, R. Harper, Towe, Gunderson, Hodges, Colberg, Staigmilller, Brand, Edland, Jacobsen, Burnett, Marks, Hubing, East, Bennetts, Gerke, Holmes, Fleming, Baucus, Kendall, Shelden, Baeth, Stoltz,

Manuel: A bill for an act entitled: "An act creating a division of school activities in the Department of Public Instruction to control and supervise all inter-school contests and programs in Montana." Referred to Committee on Education.

House Bill No. 842, introduced by McKittrick: A bill for an act entitled: "An act to amend Section 82A-1014, R.C.M. 1947, to clarify the method of appointment to the Board of Personnel Appeals." Referred to Committee on Labor and Employment Relations.

House Bill No. 843, introduced by Kimble: A bill for an act entitled: "An act amending Section 92-705, R.C.M. 1947, relating to the payment of workmen's compensation burial expenses, by increasing the maximum burial expense payment from five hundred dollars (\$500) to one thousand five hundred dollars (\$1,500)." Referred to Committee on Labor and Employment Relations.

House Bill No. 844, introduced by Bradley, Hager, Huennkens, Fleming, Stephens: A bill for an act entitled: "An act directing the preparation of a state master plan for environmental education and programs pursuant to such a plan; and repealing Section 75-7509, R.C.M. 1947." Referred to Committee on Education.

House Bill No. 845, introduced by Quilici, Menahan, Flynn: A bill for an act entitled: "An act removing the requirement that a taxidermist record the hunter's license number as specimen of game is mounted; and amending Section 26-907, R.C.M. 1947." Referred to Committee on Fish & Game.

House Bill No. 846, introduced by Laas, Bardanoue, Murphy, Bradley, Zimmer: A bill for an act entitled: "An act directing the Attorney General to declare by order a speed limit of fifty-five (55) miles per hour on all public streets and highways in the state except in those areas where a speed limit lower than fifty-five (55) miles per hour is presently applicable." Referred to Committee on Highways and Transportation.

House Bill No. 847, introduced by Turman, Kendall: A bill for an act entitled: "An act amending Section 11-903, R.C.M. 1947, to provide that a city or town council may license all industries, pursuits, professions, and occupations for regulatory and revenue purposes." Referred to Committee on Local Government.

House Bill No. 848, introduced by House Judiciary Committee: A bill for an act entitled: "An act to raise the exemption from inheritance tax allowed the surviving spouse from twenty thousand dollars (\$20,000) to twenty-five thousand dollars (\$25,000), by amending Section 91-4414, R.C.M. 1947." Referred to Committee On Judiciary.

House Bill No. 849, introduced by Lucas, Laas, Lien, Cox, Castles, Kolstad, Kendall, Fleming, Ulmer, Johnston, Quilici, Flynn, Kosena, Schye, Haines, Healy, Prevost, Selstad, Bell, Tierney, Walborn: A bill for an act entitled: "An act limiting the regular legislative session in each odd-numbered year to consideration on third reading of financial bills and special gubernatorial bills, and limiting the duration of such session to thirty (30) days." Referred to Committee on Constitution, Elections and Federal Relations.

House Joint Resolution No. 47, introduced by Marbut, Norman, Brand, Olson: A Joint Resolution of the Senate and the House of Representatives of the State of Montana directing the Legislative Council to study the feasibility of integrating into one state agency those administrative functions of the state government relating to human resources. Referred to Committee on Constitution, Elections and Federal Relations.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Fasbender moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading, under the rules of the previous sitting.

Motion carried.

Towe in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

January 15, 1974

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That House Bill No. 587 do pass. (90-0)

That House Bill No. 624 do pass. (91-0)

That House Bill No. 662 do pass. (95-3)

That House Joint Resolution No. 39 do pass. (84-11)

That the committee rise and report.

TOWE, Chairman

Report adopted.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

Senate Amendments to House Bill No. 297 were concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lombardi, Lucas, Lund, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 94.

Noes: Greely, Lockrem. Total 2.

Excused: None.

Absent or not voting: Clemow, Holtz, Jones, Lundgren. Total 4.

Senate Amendments to House Bill No. 299 were concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 97.

Noes: Greely, Lockrem. Total 2.

Excused: None.

Absent or not voting: Holtz. Total 1.

REPORTS OF STANDING COMMITTEES

January 15, 1974

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 228, respectfully report as follows: That House Bill No. 228 be held in committee until action taken on House Bill No. 557.

HALL, Chairman

Report adopted.

January 15, 1974

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 390, respectfully report as follows: That House Bill No. 390 do not pass.

HALL, Chairman

January 15, 1974

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 533, respectfully report as follows: That House Bill No. 533 do not pass.

HALL, Chairman

January 15, 1974

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 643, respectfully report as follows: That House Bill No. 643 do pass.

HALL, Chairman

Report adopted.

January 15, 1974

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 658, respectfully report as follows: That House Bill No. 658 do not pass.

HALL, Chairman

January 14, 1974

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Resolution No. 11, respectfully report as follows: That House Resolution No. 11 do not pass.

MEHRENS, Chairman

MOTIONS

Lynch moved that House Bill No. 841 be taken from the Committee on Education and referred to the Committee on State Administration.

Motion carried.

Hall moved that House Bill No. 797 be taken from the Committee on Public Health, Welfare and Safety and referred to Committee on Judiciary.

Motion carried.

REPORTS OF STANDING COMMITTEES

January 15, 1974

Mr. Speaker: We, your Committee on Finance and Claims, having had under consideration Senate Joint Resolution No. 46, respectfully report as follows: That Senate Joint Resolution No. 46 be amended as follows:

Be amended on page 2 of the engrossed bill, line 8, following the word "wages" by omitting the following punctuation, words and figures: ", first column applicable to employees with less than two (2) years legislative experience and second column applicable to employees with two (2) years or more legislative experience" and by inserting in lieu thereof the following new sentence: "Each employee shall receive a five percent (5%) increase for each year of legislative experience not to exceed two (2) years.", and

Amend page 3, lines 19 through 24, page 4, lines 1 through 5, lines 8 through 15, lines 17 through 21, by omitting the second column of figures.

Amend page 4, line 21, following the word "page" by inserting the figure "1.70" in the first column of figures, and

Amend page 4, line 22, following the word "information" by inserting the following punctuation and words: ", fixed salaries", and

Amend page 4, lines 23 through 25, by moving all of the figures to the first column, and

Amend page 5, line 1, by moving the figure "3.00" to the first column, and

Amend page 5, lines 3, 4, 5, 10 and 11, by omitting all of the figures in the second column, and

Amend page 5, line 7, by omitting the figure "5.00" and by inserting the figure "4.25" in the first column;

Amend page 5, line 18, following the word "information" by omitting the word "supervisor" and by inserting in lieu thereof the word "office", and

Amend page 6, line 2, following the word and punctuation "necessary," by omitting the remaining material in that paragraph, and by inserting in lieu thereof the following words, figures and punctuation: "to continue the employment and compensation of officers and employees for a period not to exceed fifteen (15) days immediately after the adjournment of a session of the legislature and in addition for not more than ten (10) days prior to the session, except for the position of business manager.", and

As amended, do pass.

BARDANOUE, Chairman

Report adopted.

Fasbender moved that the House adjourn until 1:30 p.m., January 16, 1974.

Motion carried.

House adjourned.

HAROLD E. GERKE, Speaker

EDWIN A. SMITH, Chief Clerk

NINTH LEGISLATIVE DAY

Helena, Montana
January 16, 1974

House Chambers
Capitol Building

House convened at 1:30 p.m., Mr. Speaker in the Chair.

Invocation by the Chaplain.

Pledge of Allegiance to the Flag.

Roll call. All members present except Ulmer, excused.

Quorum present.

Mr. Speaker: We, your Committee on Bills and Journal, having examined the daily journal for the Eighth Legislative Day, find the same to be correct.

QUILICI, Chairman

REPORTS OF STANDING COMMITTEES

January 15, 1974
Reported January 16, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly printed: House Bill No. 715.

QUILICI, Chairman

REPORTS OF STANDING COMMITTEES

January 16, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill correctly printed: House Bill No. 643.

QUILICI, Chairman

January 16, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: House Bill No. 624, House Bill No. 662, House Joint Resolution No. 39.

QUILICI, Chairman

January 15, 1974

Reported January 16, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill considered correctly engrossed: House Bill No. 587.

QUILICI, Chairman

January 15, 1974

Mr. Speaker: We, your Committee on Highways and Transportation having had under consideration House Bill No. 291, respectfully report as follows: That House Bill No. 291 do not pass.

LAAS, Chairman

January 15, 1974

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 421, respectfully report as follows: That House Bill No. 421 be amended on page 1, Section 1, line 16, after word "of" by striking word "pharmacy" and inserting in lieu thereof word "pharmacists", and

As amended, do pass.

LEE, Chairman

Report adopted.

January 15, 1974

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 577, respectfully report as follows: That House Bill No. 577 be amended on page 1, Section 1, line 11 of the introduced bill, after the "Section 1.", by deleting the following material: "There is a new section to be numbered 84-7001, R.C.M. 1947, which reads as follows: 84-7001.", and

Be further amended on page 1, Section 2, line 17 of the introduced bill, after the "Section 2.", by deleting the following material: "There is a new section to be numbered 84-7002, R.C.M. 1947, which reads as follows: 84-7002.", and

Be further amended on page 2, Section 3, line 1 of the introduced bill, after the "Section 3.", by deleting the following material: "There is a new section to be numbered 84-7003, R.C.M. 1947, which reads as follows: 84-7003.", and

Be further amended on page 2, Section 4, line 6 of the introduced bill, after the "Section 4.", by deleting the following material: "There is a new section to be numbered 84-7004, R.C.M. 1947, which reads as follows: 84-7004.", and

Be further amended on page 3, Section 5, line 7 of the introduced bill, after the "Section 5.", by deleting the following material: "There is a new section to be numbered 84-7005, R.C.M. 1947, which reads as follows: 84-7005.", and

Be further amended on page 3, Section 6, line 14 of the introduced bill, after the "Section 6.", by deleting the following material: "There is a new section to be numbered 84-7006, R.C.M. 1947, which reads as follows: 84-7006.", and

Be further amended on page 3, Section 7, line 20 of the introduced bill, after the "Section 7.", by deleting the following material: "There is a new section to be numbered 84-7007, R.C.M. 1947, which reads as follows: 84-7007.", and

Be further amended on page 4, Section 7, line 1 of the introduced bill, before the word "which", by deleting the figures "84-7004", and inserting in lieu thereof the figure: "4", and

Be further amended on page 4, Section 8, line 5 of the introduced bill, after the "Section 8.", by deleting the following material: "There is a new section to be numbered 84-7008, R.C.M. 1947, which reads as follows: 84-7008.", and

Be further amended on page 4, Section 8, line 8 of the introduced bill, after the word "section" by deleting the figures "84-7007" and inserting in lieu thereof the figure "7", and

Be further amended on page 4, Section 8, line 9, of the introduced bill, after the word "collect" by deleting the word "the", and

Be further amended on page 4, Section 8, line 10 of the introduced bill, after the word "sections", by deleting the following material: "84-7005 and 84-7006", and inserting in lieu thereof the following: "5 and 6", and

Be further amended on page 4, Section 9, line 11 of the introduced bill, after the "Section 9.", by deleting the following material: "There is a new section to be numbered 84-7009, R.C.M. 1947 which reads as follows: 84-7009.", and

Be further amended on page 4, Section 10, line 18 of the introduced bill, after the word "Section 10.", by deleting the following material: "There is a new section to be numbered 84-7010, R.C.M. 1947, which reads as follows: 84-7010.", and

Be further amended on page 4, Section 11, line 23 of the introduced bill, after the "Section 11.", by deleting the following material: "There is a new section to be numbered 84-7011, R.C.M. 1947, which reads as follows: 84-7011.", and

As amended, do pass.

BRAND, Chairman

Report adopted.

January 16, 1974

Mr. Speaker: We, your Committee on Local Government, having had under consideration House Bill No. 610, respectfully report as follows: That House Bill No. 610 do pass.

KOSENSA, Chairman

Report adopted.

January 15, 1974

Mr. Speaker: We, your Committee on Finance and Claims having had under consideration House Bill No. 631, respectfully report as follows: That House Bill No. 631 do pass.

BARDANOUE, Chairman

Report adopted.

January 16, 1974

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Bill No. 645, respectfully report as follows: That House Bill No. 645 do pass.

STAIGMILLER, Chairman

Report adopted.

January 15, 1974

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 670, respectfully report as follows: That House Bill No. 670 be amended on page 1, Section 1, line 16 of the introduced bill, after the word "officials" by inserting the following new material: ", and certain employees of elective officials", and

As amended, do pass.

BRAND, Chairman

Report adopted.

January 16, 1974

Mr. Speaker: We, your Committee on Local Government, having had under consideration House Bill No. 681, respectfully report as follows: That House Bill No. 681 do pass.

KOSENSA, Chairman

Report adopted.

January 15, 1974

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 694, respectfully report as follows: That House Bill No. 694 be amended on page 2, Section 2, line 13 of the introduced bill, after the word "appointed" by inserting the following new material: ", whichever occurs first", and

As amended, do pass.

BRAND, Chairman

Report adopted.

January 15, 1974

Mr. Speaker: We, your Committee on Finance and Claims, having had under consideration House Bill No. 701, respectfully report as follows: That House Bill No. 701 do not pass.

BARDANOUE, Chairman

January 15, 1974

Mr. Speaker: We, your Committee on Highways and Transportation, having had under consideration House Bill No. 725, respectfully report as follows: That House Bill No. 725 do pass.

LAAS, Chairman

Report adopted.

January 16, 1974

Mr. Speaker: We, your Committee on Local Government, having had under consideration House Bill No. 745, respectfully report as follows: That House Bill No. 745 do pass.

KOSENSA, Chairman

Report adopted.

January 16, 1974

Mr. Speaker: We, your Committee on Local Government, having had under consideration House Bill No. 756, respectfully report as follows: That House Bill No. 756 do pass.

KOSENSA, Chairman

Report adopted.

January 16, 1974

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Resolution No. 33, respectfully report as follows: That House Resolution No. 33 be amended on page 2, line 5, after the word "appropriated," by adding a new "WHEREAS" to read as follows: "WHEREAS, the Army Corps of Engineers estimates that an additional sum of approximately four million dollars (\$4,000,000) is necessary for the construction of such fish hatchery," and

Be further amended on page 2, line 13, after the word "by" by deleting the word "a", and inserting in lieu thereof the words "an appropriate", and

As amended, do pass.

STAIGMILLER, Chairman

Report adopted.

In accordance with the 24 hour rule, the adverse committee report on House Resolution No. 5 was adopted by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow Colberg, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 95.

Noes: None.

Excused: Ulmer. Total 1.

Absent or not voting: Baucus, Cotton, Halvorson, Lockrem. Total 4.

In accordance with the 24 hour rule, the adverse committee report on House Resolution No. 11 was adopted by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 94.

Noes: None.

Excused: Ulmer. Total 1.

Absent or not voting: Castles, Hubing, Menahan, Roberts, Walborn. Total 5.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 316 was adopted by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bradley, Brown, Burnett, Campbell, Colberg, Cotton, Cox, Driscoll, East, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut,

Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmilller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 92.

Noes: None.

Excused: Ulmer. Total 1.

Absent or not voting: Bennetts, Brand, Castles, Clemow, Edland, Roberts, Walborn. Total 7.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 355 was adopted by the following vote:

Ayes: Ageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brown, Burnett, Campbell, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 95.

Noes: None.

Excused: Ulmer. Total 1.

Absent or not voting: Brand, Castles, Staigmilller, Walborn. Total 4.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 390 was adopted by the following vote:

Ayes: Ageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, Mann, Manuel, Marbut, Marks, Mehrens, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 94.

Noes: None.

Excused: Ulmer. Total 1.

Absent or not voting: Holtz, McKittrick, Menahan, Staigmilller, Walborn. Total 6.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 521 was adopted by the following vote:

Ayes: Ageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Walborn, Warfield, Watt, Yardley, Zimmer. Total 95.

Noes: None.

Excused: Ulmer. Total 1.

Absent or not voting: Campbell, McKittrick, Staigmilller, Mr. Speaker. Total 4.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 533 was adopted by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Brand, Brown, Burnett, Campbell, Castles, Clemow, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Greely, Gunderson, Hageman, Haines, Hall, Halvorson, R. Harper, Healy, Hodges, Holtz, Hubing, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosenä, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Schepens, Schye, Seifert, Smith, Staigmilller, Stephens, Stoltz, Swanberg, Tierney, Turner, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 87.

Noes: Bradley, Colberg, H. Harper, Holmes, Huennekens, Rolfe, Selstad, Towe. Total 8.

Excused: Ulmer. Total 1.

Absent or not voting: Glennen, Hager, Shelden, Turman. Total 4.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 554 was adopted by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosenä, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmilller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 98.

Noes: None.

Excused: Ulmer. Total 1.

Absent or not voting: Glennen. Total 1.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 563 was adopted by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Jacobsen, Jones, Kendall, Kessner, Kimble, Kolstad, Kosenä, Kvaalen, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmilller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Walborn, Warfield, Watt, Yardley, Zimmer. Total 94.

Noes: None.

Excused: Ulmer. Total 1.

Absent or not voting: Castles, Huennekens, Johnston, Laas, Mr. Speaker. Total 5.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 601 was adopted by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmilller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 98.

Noes: None.

Excused: Ulmer. Total 1.

Absent or not voting: Colberg,. Total 1.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 658 was adopted by the following vote:

Ayes: Aageson, Ainsworth, Baeth, Bardanouve, Barrett, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Smith, Staigmilller, Stephens, Stoltz, Tierney, Towe, Turman, Walborn, Warfield, Watt, Zimmer, Mr. Speaker. Total 90.

Noes: Greely, Swanberg, Turner, Yardley. Total 4.

Excused: Ulmer. Total 1.

Absent or not voting: Asbjornson, Baucus, Lynch, McKittrick, Shelden. Total 5.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 691 was adopted by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cox, East, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holtz, Huennekens, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lombardi, Lucas, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Seifert, Selstad, Smith, Staigmilller, Stephens, Stoltz, Swanberg, Towe, Turman, Turner, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 84.

Noes: Bardanouve, Cotton, Driscoll, Edland, Glennen, Jacobsen, Lien, Lund, Schye, Tierney. Total 10.

Excused: Ulmer. Total 1.

Absent or not voting: Ellerd, Holmes, Hubing, Lockrem, Shelden. Total 5.

January 16, 1974

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 711, respectfully report as follows: That House Bill No. 711 be amended on page 1, line 6, title after the words "side to" by deleting the material "two (2)" and inserting in lieu thereof the new material "three (3)", and

Be further amended on page 4, Section 1, Subsection (f), line 4 after the word "and" by deleting the material "three (3) two (2)" and inserting in lieu thereof the new material "three (3)", and

Be further amended on page 4, Section 1, Subsection (f), line 14 after the word "allowed" by striking the material "two (2)" and inserting in lieu thereof the new material "three (3)", and

As amended, do pass.

HALL, Chairman

Report adopted.

MESSAGES FROM THE GOVERNOR

January 16, 1974

The Honorable Harold Gerke
Speaker of the House of Representatives
43rd Legislature
State Capitol
Helena, Montana 59601

Dear Mr. Speaker and Members of the House:

The Montana Environmental Policy Act is probably one of the most innovative pieces of legislation ever to be enacted by the Legislature of the State of Montana. Nevertheless, it has become obvious that there are certain deficiencies in the environmental impact statement process. State government as a whole has received some criticism during the past year concerning the quality of the environmental impact statements produced. It is obvious that budgetary restraints have prevented various state departments from doing a better job of evaluating the environmental impact of major state actions. For this reason, I am requesting that the attached legislation, which is entitled, "AN ACT TO AMEND THE MONTANA ENVIRONMENTAL POLICY ACT BY REQUIRING EACH STATE AGENCY TO ADOPT RULES IMPOSING A FEE TO BE PAID BY AN APPLICANT FOR A LEASE, PERMIT, LICENSE, OR CERTIFICATE WHEN AN AGENCY IS REQUIRED TO COMPILE AN ENVIRONMENTAL IMPACT STATEMENT" be introduced.

Unfortunately, neither state agencies or the state legislature can forecast how many proposed projects during the next biennium will require the compilation of environmental impact statements. Thus, the problem of budgeting appropriate funds to finance the environmental impact statement process is a persistent problem. For this reason, the attached legislation would permit each state agency to adopt rules under the Montana Administrative Procedure Act to impose a fee when a department determines that it will be necessary to compile an environmental impact statement. Subsection (1) of this proposed legislation clearly specifies, however, that "the fee assessed pursuant to this section shall only be used to gather data and information necessary to compile an environmental impact statement as defined in this act." Thus, it is obvious that state agencies cannot use the authorization contained in this proposed legislation to raise additional revenues to finance the activities of their department. The fee schedule adopted by rule must be a reasonable fee designed to enable the agency to compile an environmental impact statement under the various laws that they administer. This legislation has been drafted to give each agency flexibility for several reasons.

First, it is obvious that a state agency administering a subdivision law must assess a different fee schedule than that to be imposed by a state agency reviewing applications for coal mining permits. Thus, I believe that it is desirable to permit each agency to adopt a fee schedule to the specific laws that they administer. A state department administering a subdivision law can assess a fee schedule based upon the number of plats or lots to be contained in the proposed subdivision. The Department of State Lands, however, in assessing applications for mining permits, can adopt rules imposing fee schedules based upon the criteria that must be considered under the laws that it administers.

Second, I believe that it is desirable to give each agency flexibility in adopting fee schedules because it gives the persons most affected by this proposed legislation

an opportunity to appear at public hearings and shape the fee schedule that will ultimately be adopted by an agency. For example, subdividers can appear at the hearings that will be held to adopt a fee schedule for the subdivision laws and they will then have an opportunity to comment upon and evaluate the criteria that will be used to assess a fee under that particular law.

Several other provisions in this proposed legislation need to be discussed.

To begin with, all activities that come within the jurisdiction of the Montana Utility Siting Act, Title 70, Chapter 8, R.C.M. 1947, are excluded from the provisions of this legislation. This exclusion is granted because a fee schedule is already imposed under the provisions of that law.

In order to expedite the review of the applications for leases, permits, licenses, or certificates which might be covered by the provisions of the Montana Environmental Policy Act, subsection (1) of the attached legislation provides that an agency must determine within twenty days after a completed application is filed whether it will be necessary to compile an environmental impact statement and assess a fee as prescribed by the proposed legislation. This twenty day limitation guarantees that a person who submits a completed application to a state agency will receive a prompt determination as to whether a fee will be imposed under the provisions of this act.

Subsection (3) of the attached legislation establishes a ceiling on the amount of any fee which can be imposed upon a particular project. An agency may not prescribe a fee which exceeds 2% of the cost of constructing a proposed project.

Finally, I want to emphasize that the Legislature will retain the budgetary authority over the fees collected under this proposed legislation. Subsection (5) clearly provides that the fees collected shall be deposited in the state general fund and that the fees shall then be appropriated to the agencies for the compilation of environmental impact statements. Thus, the Legislature can annually review, if it so wishes, the collection of fees under the provisions of this law to determine whether or not the fees being assessed are reasonable.

I thank you for your careful consideration of the attached legislation.

Sincerely,

THOMAS L. JUDGE
Governor

MESSAGES FROM THE OTHER HOUSE

January 15, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day read third time, and passed, title and history agreed to and the bills are herewith transmitted to the House for concurrence:

Senate Bill No. 465, introduced by Moore
Senate Bill No. 478, introduced by the Senate Rules Committee
Senate Bill No. 483, introduced by Gilfeather
Senate Bill No. 521, introduced by Story
Senate Bill No. 527, introduced by Gilfeather, Turnage, et al
Senate Bill No. 529, introduced by Turnage, Moore, et al

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

January 15, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was this day read three several times and concurred in as amended, title and history agreed to, and the bill is herewith returned to the House for concurrence in Senate amendments:

House Bill No. 479, introduced by Hager

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

January 15, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day authorized the President to appoint a Conference Committee to meet with a like committee of the House to confer on Senate Amendments to House Joint Resolution No. 4.

The President appointed the following members:

Senator Gilfeather, Chairman
Senator McDonald
Senator Turnage

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

MOTIONS

Marbut moved that House Joint Resolution No. 47 be taken from the Committee on Constitution, Elections and Federal Relations and be re-referred to the Committee on Public Health, Welfare and Safety.

Motion carried.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following bills were introduced, read first time and referred to committees:

House Bill No. 850, introduced by Jacobsen, Edland, Ageson, Smith, Hubing, East, Clemow, Gunderson, Staigmiller, Lien: A bill for an act entitled: "An act providing that livestock encroaching on public highways may, after two warnings, subject the owner to a civil penalty, and providing for the exemption of counties or parts of counties from this act." Referred to Committee on Highways and Transportation.

House Bill No. 851, introduced by Jacobsen, Edland: A bill for an act entitled: "An act amending Sections 32-2412 and 32-2427, R.C.M. 1947, to authorize fencing open range along all parts of the state highway system." Referred to Committee on Highways and Transportation.

House Bill No. 852, introduced by Jacobsen, Edland: A bill for an act entitled: "An act to amend Section 3-208, R.C.M. 1947, raising the handling and storage charges for grain public warehousemen collect; and deleting provisions relating to cleaning charges and charge reductions." Referred to Committee on Agriculture, Livestock and Irrigation.

House Bill No. 853, introduced by Asbjornson, Kosena, Zimmer: A bill for an act entitled: "An act amending Section 66-3102, R.C.M. 1947, to increase the term of office for members of the Board of Nursing Home Administrators from three (3) years to five (5) years." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 854, introduced by Johnston, Stephens, Menahan, Barrett: A bill for an act entitled: "An act requiring persons to possess a current big game hunting license while carrying a big game rifle in the field; providing for an exemption for landowners, commission implementation and providing for a penalty for violation of this act." Referred to Committee on Fish and Game.

House Bill No. 855, introduced by Clemow, Jones, Murphy: A bill for an act entitled: "An act to amend Section 26-809, R.C.M. 1947, to remove inconsistency with Section 26-811, R.C.M. 1947." Referred to Committee on Fish and Game.

House Bill No. 856, introduced by Bennetts, Gerke, Turman, Lynch, Marbut, H. Harper, Fasbender, McKittrick, Stoltz: A bill for an act entitled: "An act to authorize the Governor to designate no more than two (2) additional legal holidays each calendar year; and amending Section 19-107, R.C.M. 1947." Referred to Committee on State Administration.

House Bill No. 857, introduced by Bennetts, H. Harper, Jacobsen, Fleming, Stoltz, Bell, Campbell, Castles: A bill for an act entitled: "An act providing that public employees called for jury duty may take leave with pay, less the amount of the juror fees received; and amending Section 59-1010, R.C.M. 1947." Referred to Committee on Judiciary.

House Bill No. 858, introduced by Menahan, Kosena: A bill for an act entitled: "An act providing that a fee shall be required for initial inspection prior to licensure of beauty salons and beauty colleges by amending Section 66-801, R.C.M. 1947; and providing an effective date." Referred to Committee on Business and Industry.

House Bill No. 859, introduced by Menahan, Kosena: A bill for an act entitled: "An act to amend Section 66-809, R.C.M. 1947, to provide compensation for each day traveling to and from any meeting and to increase compensation while in actual attendance for members of the Board of Cosmetologists." Referred to Committee on State Administration.

House Bill No. 860, introduced by Lucas, Olson, Schepens, Prevost, Cox, Ulmer, Kvaalen, Glennen, Mercer, Hager, Galt, Schye, Hageman: A bill for an act entitled: "An act to amend Section 92-202.1, R.C.M. 1947, exempting sugar beet laborers from coverage under the Workmen's Compensation Act." Referred to Committee on Labor and Employment Relations.

House Bill No. 861, introduced by Swanberg, Lynch, Mehrens, Lee, McKittrick, Staigmillier, Holtz, Hodges, Fasbender, Quilici, Lombardi, Healy, Hall, Greely, Menahan, Huennekens, Tierney, Gunderson, Towe, Kessner, Selstad: A bill for an act entitled: "An act transferring the county share of welfare payments to the state and requiring counties to assume all administrative costs of county welfare departments, and amending Sections 71-106, 71-222, 71-302.1, 71-309, 71-405, 71-413, 71-508, 71-510, 71-611, 71-612, 71-1206, 71-1210, 71-1519, 71-1522; and repealing Section 71-311, R.C.M. 1947." Referred to Committee on Taxation.

House Bill No. 862, introduced by Lee, Lombardi, Lynch, Lucas, Tierney, Healy, Flynn, Brand, Clemow, Fagg, Cox: A bill for an act entitled: "An act to provide for the classification of certain improvements to commercial property." Referred to Committee on Taxation.

House Bill No. 863, introduced by R. Harper, Lynch, Quilici, Lee, Lombardi, Healy, Mehrens, Kosena, Menahan: A bill for an act entitled: "An act prescribing the salary and qualifications of a coroner in a first or second class county and establishing the office and salary of deputy coroner in such counties, amending Section 25-236, R.C.M. 1947." Referred to Committee on Local Government.

House Bill No. 864, introduced by Menahan, Quilici, Flynn, Lee, Lynch, Kosena, Healy, Murphy, Lombardi: A bill for an act entitled: "An act to provide minimum pensions for retired firemen, and amending Sections 11-1925, 11-1926, and 11-1927, R.C.M. 1947." Referred to Committee on Local Government.

House Bill No. 865, introduced by Yardley: A bill for an act entitled: "An act authorizing the establishment of scenic river areas by the Board of Natural Resources and Conservation." Referred to Committee on Natural Resources.

House Bill No. 866, introduced by Yardley: A bill for an act entitled: "An act

amending Section 75-5709, R.C.M. 1947, to provide for the introduction of additional evidence in the appeal of controversies to the Superintendent of Public Instruction and clarifying the procedure for review of such controversies by the state courts." Referred to Committee on Education.

House Bill No. 867, introduced by McKittrick, Lynch, Quilici, Healy, Lee, Brand, Murphy, Tierney, Lombardi, Johnston, Flynn, Turman, Glennen, Huennekens, Cox: A bill for an act entitled: "An act amending Section 11-1919, R.C.M. 1947, relating to payment of portions of insurance companies' license fees by the State Auditor to fire department relief associations." Referred to Committee on Local Government.

House Bill No. 868, introduced by Brand, Menahan, Baeth, Staigmiller, Gunderson: A bill for an act entitled: "An act to amend Section 31-147, R.C.M. 1947, to limit to three years any consideration of board to suspend license or driving privilege or issue probationary license." Referred to Committee on Highways and Transportation.

House Bill No. 869, introduced by Baeth: A bill for an act entitled: "An act to require the Legislative Services Division of the Legislative Council to compile and print the third reading voting record of members of the legislature within thirty (30) days after final adjournment of each session of the legislature; and providing an effective date." Referred to Committee on State Administration.

House Bill No. 870, introduced by Stephens, Hageman: A bill for an act entitled: "An act providing an injunctive remedy for the Department of Agriculture to enjoin persons merchandising in grain without a license or bond." Referred to Committee on Agriculture, Livestock and Irrigation.

House Bill No. 871, introduced by Turman, Kendall, Shelden: A bill for an act entitled: "An act to provide for and to regulate interim municipal zoning regulations." Referred to Committee on Local Government.

House Bill No. 872, introduced by Driscoll: A bill for an act entitled: "An act to amend Section 32-3911, R.C.M. 1947, to allow sales of interests in real property conducted by the Department of Highways to be conducted in the county wherein the property is located." Referred to Committee on Highways and Transportation.

House Bill No. 873, introduced by Driscoll: A bill for an act entitled: "An act to amend Sections 32-2413 and 32-3905, R.C.M. 1947, to eliminate the necessity of filing a plat upon sale of excess property by the State Highway Commission when the excess property is shown on plans previously filed." Referred to Committee on Highways and Transportation.

House Bill No. 874, introduced by Gunderson, Hager, Edland, Prevost, Tierney: A bill for an act entitled: "An act amending Sections 82A-301, 82A-304 and 82A-1304 abolishing the Office of Commissioner of Agriculture, creating a Director of the Department of Agriculture, unifying the Department of Livestock and Department of Agriculture and repealing Sections 82A-1301 and 82A-1302, R.C.M. 1947." Referred to Committee on Agriculture, Livestock and Irrigation.

House Bill No. 875, introduced by Huennekens: A bill for an act entitled: "An act declaring the legislature's concern about uncontrolled subdivision development in Montana and about the adverse effects of such development on the health, safety and welfare of the people of Montana; providing for a temporary moratorium on subdivision development until the State of Montana has adopted long-range goals concerning land use and economic and population growth and completed a statewide land and water resources inventory with the identification of environmentally critical areas and until legislation for the protection of such areas has been enacted by the Montana Legislature, and providing an effective date." Referred to Committee on Natural Resources.

House Bill No. 876, introduced by Fagg: A bill for an act entitled: "An act allowing golf carts on public roadways in certain cases." Referred to Committee on Highways and Transportation.

House Bill No. 877, introduced by Marbut, Fasbender: A bill for an act entitled: "An act to amend Section 69-3911, R.C.M. 1947, by providing a method for obtaining permits from the State Board of Health for the construction, installation, alter-

ation or use of equipment which contributes to air pollution or which contributes to the abatement of air pollution." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 878, introduced by Aageson, Kolstad, Clemow, Murphy, Stephens, Lucas, Swanberg, Jones, Cotton: A bill for an act entitled: "An act amending Section 41-1121, R.C.M. 1947, providing for the establishment of ten (10) hour work days for the employees of regular county road and bridge departments." Referred to Committee on Labor and Employment Relations.

House Bill No. 879, introduced by Kendall, Kosena, Asbjornson, Ellerd, Lien, Schye: A bill for an act entitled: "An act amending Section 94-5-105, R.C.M. 1947, to provide for a mandatory death sentence when the defendant is convicted of deliberate homicide for the killing of a peace officer performing his duty, regardless of mitigating circumstances." Referred to Committee on Judiciary.

House Bill No. 880, introduced by Kvaalen, Prevost, Schepens: A bill for an act entitled: "An act amending Section 7-113, R.C.M. 1947, to permit state chartered building and loan associations to charge five dollars (\$5) as late payment penalty on any payment more than fifteen (15) days late; to charge interest on the late payment at a rate not to exceed eighteen percent (18%); and to deduct these late payment charges from any payment." Referred to Committee on Business and Industry.

House Bill No. 881, introduced by Turman, Fasbender: A bill for an act entitled: "An act providing for disclosure to the Division of Workmen's Compensation of attorney fee arrangements, and fixing attorney fees in workmen's compensation cases." Referred to Committee on Labor and Employment Relations.

House Bill No. 882, introduced by Shelden, Baeth, Turman: A bill for an act entitled: "An act to amend the Montana Environmental Policy Act by requiring each state agency to adopt rules imposing a fee to be paid by an applicant for a lease, permit, license or certificate when an agency is required to compile an environmental impact statement." Referred to Committee on Natural Resources.

House Bill No. 883, introduced by Towe, Burnett, Turman: A bill for an act entitled: "An act to amend Section 16-1023, R.C.M. 1947, to provide a summary publication of county claims in the monthly proceedings." Referred to Committee on Local Government.

House Joint Resolution No. 48, introduced by Hodges, Fleming, Norman, Baucus, Watt, Baeth, Bennetts, Kendall, Roberts, Gunderson, Towe, Stoltz, Staigmiller, Kimble, Shelden, R. Harper, Greeley, Holmes, Colberg: A Joint Resolution of the Senate and the House of Representatives of the State of Montana to the Secretary of Defense of the United States and to the Montana Congressional Delegation urging that the proposed Minuteman launchings from Montana be cancelled. Referred to Committee on Constitution, Elections and Federal Relations.

House Joint Resolution No. 49, introduced by R. Harper, Kimble, Lynch, Quilici, Gunderson, Hodges, Baucus, Fleming, Stoltz, Murphy, Lee, Lombardi, Healy, Mehrens, Menahan: A Joint Resolution of the Senate and the House of Representatives of the State of Montana requesting the Legislative Council to study the State Auditor's procedures and practices concerning the regulation of insurance companies that underwrite and adjust workmen's compensation insurance. Referred to Committee on Business and Industry.

SECOND READING OF BILLS

Fasbender moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading, under the rules of the previous sitting.

Motion carried.

Kolstad in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

January 16, 1974

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That House Bill No. 687 do pass. (88-8)

That House Bill No. 715 do pass. (97-0)

That Senate Joint Resolution No. 46 be concurred in. (90-0)

That the committee rise and report.

KOLSTAD, Chairman

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 587 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Hageman, Hager, Haines, Hall, R. Harper, Healy, Hodges, Holtz, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Seifert, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 89.

Noes: None.

Excused: Ulmer. Total 1.

Absent or not voting: Bell, Gunderson, Halvorson, H. Harper, Holmes, Hubing, Lockrem, Schye, Selstad, Walborn. Total 10.

House Bill No. 641 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Hageman, Hager, Haines, Hall, H. Harper, R. Harper, Healy, Hodges, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 94.

Noes: None.

Excused: Ulmer. Total 1.

Absent or not voting: Gunderson, Halvorson, Holmes, Lockrem, Selstad. Total 5.

REPORTS OF STANDING COMMITTEES

January 16, 1974

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 647, respectfully report as follows: That House Bill No. 647 do not pass.

MEHRENS, Chairman

January 16, 1974

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 653, respectfully report as follows: That House Bill No. 653 do not pass.

MEHRENS, Chairman

January 16, 1974

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 655, respectfully report as follows: That House Bill No. 655 do not pass.

MEHRENS, Chairman

MOTIONS

Fasbender moved that the rules be suspended and Senate Joint Resolution No. 46 be placed on Third Reading this day.

Motion carried.

THIRD READING OF BILLS

The following bill having been read three several times, title and history agreed to, was disposed of in the following manner:

Senate Joint Resolution No. 46 was concurred in by the following vote:

Ayes: Ageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Hageman, Hager, Haines, Hall, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lombardi, Lucas, Lund, Lundgren, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 93.

Noes: None.

Excused: Ulmer. Total 1.

Absent: Bell, Gunderson, Halvorson, Kessner, Lockrem, Lynch. Total 6.

Fasbender moved that the House adjourn until 1:30 p.m., January 17, 1974.

Motion carried.

House adjourned.

HAROLD E. GERKE, Speaker

EDWIN A. SMITH, Chief Clerk.

TENTH LEGISLATIVE DAY

Helena, Montana
January 17, 1974

House Chambers
Capitol Building

House convened at 1:30 p.m., Mr. Speaker in the Chair.

Invocation by the Chaplain.

Pledge of Allegiance to the Flag.

Roll call. All members present except Tierney, Roberts, Colberg and Baeth, all excused.

Quorum present.

Mr. Speaker: We, your Committee on Bills and Journal, having examined the daily journal for the Ninth Legislative Day, find the same to be correct.

QUILICI, Chairman

REPORTS OF STANDING COMMITTEES

January 17, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills considered correctly engrossed: House Bill No. 687, House Bill No. 715.

QUILICI, Chairman

January 17, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill correctly engrossed: House Bill No. 674.

QUILICI, Chairman

January 17, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly printed: House Bill No. 421, House Bill No. 670, House Resolution No. 33.

QUILICI, Chairman

January 17, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly printed: House Bill No. 610, House Bill No. 631, House Bill No. 645, House Bill No. 681, House Bill No. 725, House Bill No. 745, House Bill No. 756.

QUILICI, Chairman

January 17, 1974

Mr. Speaker: We, your Committee on Legislative Administration recommend that the following be employed by the House of Representatives for the 43rd Legislative Assembly as of January 14, 1974:

Frank Cummings.....	Page
Julane Green.....	Page
Ti Hobson.....	Page
Kimberly Williams.....	Page

As of January 17, 1974, the following also be employed:

Lori Kerr.....	Page
Mac Meuchel.....	Page
Margaret Regan.....	Page

As of January 12, 1974, the following be terminated:

Sandra Frank.....	Page
Blythe Nelson.....	Page
Jay Preston.....	Page
Fumi Shirasago.....	Page

As of January 16, 1974, the following be terminated:

Ann Brothers.....	Page
Debby Crosswhite.....	Page
Jamie Flynn.....	Page
Jean Popovich.....	Page

EDLAND, Chairman

Report adopted.

January 15, 1974

Mr. Speaker: We, your Committee on Finance and Claims, having had under consideration House Bill No. 43, respectfully report as follows: That House Bill No. 43 do not pass.

BARDANOUVE, Chairman

January 17, 1974

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 356, respectfully report as follows: That House Bill No. 356 do not pass.

HALL, Chairman

January 17, 1974

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 625, respectfully report as follows: That House Bill No. 625 be amended on page 1, Section 1, Subsection (2), line 18 after the word "under" by deleting the material "section 94-3601" and inserting in lieu thereof the new material: "sections 94-8-110 and 94-8-110.1, R.C.M. 1947", and

As amended, do pass.

HALL, Chairman

Report adopted.

January 16, 1974

Mr. Speaker: We, your Committee on Labor and Employment Relations, having had under consideration House Bill No. 654, respectfully report as follows: That House Bill No. 654 be amended on page 5, Section 2, Subsection (2), line 3 after the words "on a" by striking the words "seeing eye dog" and inserting in lieu thereof the new words "guide dog for the blind", and

Be further amended on page 5, Section 3, line 11, after the word "employment" by striking the period and inserting in lieu thereof the words "or where the particular employment may subject the handicapped or his fellow employees to physical harm.", and

Be further amended on page 5, Section 3, line 14, after the word and punctuation "against." by adding the new material: "Should the person who allegedly practiced discrimination prevail in the civil action, he shall be entitled to recover reasonable attorney's fees from the person who alleged the discrimination.", and

As amended, do pass.

McKITTRICK, Chairman

Report adopted.

January 17, 1974

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 666, respectfully report as follows: That House Bill No. 666 do not pass.

HALL, Chairman

January 17, 1974

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 713, respectfully report as follows: That House Bill No. 713 do not pass.

GUNDERSON, Chairman

January 16, 1974

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 716, respectfully report as follows: That House Bill No. 716 do pass.

MEHRENS, Chairman

Report adopted.

January 17, 1974

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 752, respectfully report as follows: That House Bill No. 752 do pass.

GUNDERSON, Chairman

Report adopted.

January 17, 1974

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 764, respectfully report as follows: That House Bill No. 764 be amended on page 2, line 1, Section 3 (a) of the introduced bill, after the ";," by inserting the word "and", and

Be further amended on page 2, line 7, Section 3 (b) and (c) of the introduced bill, after the word "trustees" by deleting the following material: "; and (c) two representatives of the general public appointed by the governor", and

Be further amended on page 3, line 6, Section 4 (4) of the introduced bill, after the word "legislature" by inserting the following material: "except those pertaining to the duties of the Superintendent of Public Instruction and the Board of Public Education", and

As amended, do pass.

GUNDERSON, Chairman

Report adopted.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 291 was adopted by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baucus, Bell, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Cotton, Cox, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Rolfe, Schepens, Seifert, Selstad, Shelden, Smith, Staigmillar, Stephens, Stoltz, Swanberg, Towe, Turman, Turner, Ulmer, Walborn, Watt, Zimmer, Mr. Speaker. Total 86.

Noes: None.

Excused: Baeth, Colberg, Roberts, Tierney. Total 4.

Absent or not voting: Bardanouve, Barrett, Bennetts, Driscoll, Holmes, Holtz, Marbut, Schye, Warfield, Yardley. Total 10.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 653 was adopted by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmillar, Stephens, Stoltz, Swanberg, Towe, Turman, Turner, Ulmer, Walborn, Watt, Yardley, Zimmer, Mr. Speaker. Total 95.

Noes: None.

Excused: Baeth, Colberg, Roberts, Tierney. Total 4.

Absent or not voting: Warfield. Total 1.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 655 was adopted by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fleming, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmillier, Stephens, Stoltz, Swanberg, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 94.

Noes: None.

Excused: Baeth, Colberg, Roberts, Tierney. Total 4.

Absent or not voting: Fasbender, Flynn. Total 2.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 701 was adopted by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmillier, Stephens, Stoltz, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 94.

Noes: None.

Excused: Baeth, Colberg, Roberts, Tierney. Total 4.

Absent or not voting: Hall, Swanberg. Total 2.

Objection raised by Towe on adverse committee report on House Bill No. 647. Referred to Second Reading.

MESSAGES FROM THE OTHER HOUSE

January 16, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate on motion duly carried, requests the return of House Bill No. 479 for further consideration.

Respectfully,

JOHN N. HANSON
Secretary of the Senate

MOTIONS

Greely moved that House Bill No. 644 be taken from the Committee on Local Government and referred to the Committee on Constitution, Elections and Federal Relations.

Motion carried.

Brand moved that House Bill No. 305 be taken from the Committee on Finance and Claims and referred to the Committee on Taxation.

Motion carried.

Fasbender moved that the House accede to the request of the Senate and return House Bill No. 479 to the Senate.

Motion failed.

REPORTS OF STANDING COMMITTEES

January 17, 1974

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 612, respectfully report as follows: That House Bill No. 612 be amended on page 3, Section 5, lines 3, 4 and 5 after the word "agency" by deleting the material ", collection agent, or any assignee of a claim (other than the commissioner of labor and industry)." and inserting in lieu thereof the new material: "or collection agent.", and

Be further amended on page 10, Section 23, line 1 by striking all of the material: "forum in which such claims may be heard and disposed of", and

Be further amended on page 9 after line 22 by adding a new section to follow Section 22 reading "Section 23. Where there is more than one county in the judicial district and the county commissioners of more than one county in that district create small claims courts, the district judges may provide that the same judge of small claims court may preside over more than one of the small claims courts in the judicial district. In such cases the salary of the small claims court judge shall be prorated among the counties in which he presides.", and

Be further amended on page 9, Section 23, line 23 after the word "Section" by striking the number "23" and inserting in lieu thereof the new number "24", and

As amended, do pass.

HALL, Chairman

Report adopted.

January 17, 1974

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 672, respectfully report as follows: That House Bill No. 672 be amended on page 1, Section 1, lines 16 through 23 after the word "leasehold" by deleting all of the material in lines 17 through 23 in its entirety and inserting in lieu thereof the new material: "." and renumbering the subsequent section to conform numerically, and

Be further amended on page 3, Section 4, line 2 by deleting all of Section 4 in its entirety and renumbering subsequent sections to conform numerically, and

Be further amended on page 4, Section 7, line 12 after the word "deducted" by deleting the material "plus costs and reasonable attorney's fees" and inserting in lieu thereof the new material: "the attorney's fees may be awarded the prevailing party at the discretion of the court", and

As amended, do pass.

HALL, Chairman

Report adopted.

January 17, 1974

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 717, respectfully report as follows: That House Bill No. 717 do pass.

HALL, Chairman

Report adopted.

January 17, 1974

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 742, respectfully report as follows: That House Bill No. 742 do pass.

HALL, Chairman

Report adopted.

January 17, 1974

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 757, respectfully report as follows: That House Bill No. 757 do pass.

HALL, Chairman

Report adopted.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following bills were introduced, read first time and referred to committees:

House Bill No. 884, introduced by Bradley, Kosena: A bill for an act entitled: "An act to amend Section 10-802.1, R.C.M. 1947, including counties as government units which may levy up to one (1) mill on taxable property for the support of day care centers." Referred to Committee on Taxation.

House Bill No. 885, introduced by Yardley: A bill for an act entitled: "An act correcting numbering errors by amending Section 75-6509, R.C.M. 1947." Referred to Committee on Education.

House Bill No. 886, introduced by Edland, Jacobsen, Holtz, Kolstad, R. Harper, Lund, Prevost, Johnston, Aageson, Murphy: A bill for an act entitled: "An act changing the property tax classification and liability of harvesting machinery owned by custom combine operators, and amending Sections 84-301 and 84-6008, R.C.M. 1947." Referred to Committee on Taxation.

House Bill No. 887, introduced by Lucas, Johnston, Lee, Mercer, Fasbender, McKittrick, Lockrem: A bill for an act entitled: "An act relating to obtaining communication services with intent to defraud; and repealing Section 94-1824." Referred to Committee on Business and Industry.

House Bill No. 888, introduced by Swanberg: A bill for an act entitled: "An act relating to the rate of interest that may be agreed to be paid by profit corporations and businesses operating for profit." Referred to Committee on Business and Industry.

House Bill No. 889, introduced by Swanberg: A bill for an act entitled: "An act amending Section 71-308, R.C.M. 1947, to clarify residency requirements for county financial participation in assistance to residents, non-residents, transients, incompetents, and aliens, to recodify county medical responsibilities, and to pay medical expenses for accidental injury to interstate transients from state funds; and repealing Sections 71-114, 71-116, 71-117, 71-302.1, and 71-304, R.C.M. 1947." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 890, introduced by Driscoll, Watt, Swanberg: A bill for an act entitled: "An act creating a gubernatorial campaign fund; allowing a taxpayer to designate one dollar (\$1) of his tax liability to that fund; providing that monies be paid from the fund to the treasurer of each qualifying political party to be used for gubernatorial campaign expenses; providing for a penalty for misuse of the funds; and providing for a termination date." Referred to Committee on Constitution, Elections and Federal Relations.

House Bill No. 891, introduced by Driscoll, Haines, Murphy, R. Harper, Watt, Laas: A bill for an act entitled: "An act to appropriate supplemental moneys to the Department of Public Service Regulation; and providing for other matters related to the appropriation." Referred to Committee on Finance and Claims.

House Bill No. 892, introduced by House Select Committee on Scenic Rivers: A bill for an act entitled: "An act authorizing a state system of pastoral and scenic rivers, to be administered by local conservation districts, and amending Sections 76-108 and 76-109, R.C.M. 1947." Referred to Committee on Natural Resources.

House Bill No. 893, introduced by Menahan, Roberts, Driscoll, Turman, R. Harper, Brand, Lynch, Tierney: A bill for an act entitled: "An act providing for the method by which a teacher organization may be recognized as a collective bar-

gaining agent by the Department of Labor and Industry; and repealing Section 75-6121, R.C.M. 1947." Referred to Committee on Labor and Employment Relations.

House Bill No. 894, introduced by Laas, Bardanoue, Burnett, Cox, Gunderson, Asbjornson: A bill for an act entitled: "An act to amend Section 84-1840, R.C.M. 1947, providing for direct payment of funds collected pursuant to the gasoline license tax laws to the cities, towns and counties of this state." Referred to Committee on Taxation.

House Bill No. 895, introduced by Holtz, Kolstad, Edland, Jacobsen, Aageson, Lund, Burnett: A bill for an act entitled: "An act to provide that custom combiners shall pay a sixty dollar (\$60) fee per unit in lieu of all other fees and taxes." Referred to Committee on Agriculture, Livestock and Irrigation.

House Bill No. 896, introduced by McKittrick, East, Lee, Lombardi, Menahan, Tierney: A bill for an act entitled: "An act regulating transportation of the dead; distinguishing between communicable disease deaths and other deaths; distinguishing cases when transportation regulations do not apply; providing a penalty for violation of the act." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 897, introduced by Kvaalen, Cox, Cotton, Warfield, Yardley, Lund, Marks: A bill for an act entitled: "An act to amend Section 75-6906, R.C.M. 1947, to increase the dollar amount of the Foundation Program from eighty percent (80%) to ninety percent (90%) of the maximum - general - fund - budget - without - a - voted - levy limitation." Referred to Committee on Education.

House Bill No. 898, introduced by Hager, Gunderson: A bill for an act entitled: "An act amending Section 66-1406, R.C.M. 1947, providing procedures whereby doctors of osteopathy licensed pursuant to R.C.M. 1947, Chapter 14 may, before December 31, 1976, qualify to prescribe and administer all drugs; defining terms; and providing an effective date." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 899, introduced by Lee, Lynch, Cox, Forsgren, Gunderson, Stoltz, Menahan: A bill for an act entitled: "An act to amend Section 75-6104, R.C.M. 1947, relating to the notice requirements for termination of tenured teachers." Referred to Committee on Education.

House Bill No. 900, introduced by Driscoll, Fagg: A bill for an act entitled: "An act creating a Board of Plumbers; requiring that journeyman plumbers, master plumbers, water conditioning contractors, lawn sprinkling contractors, fire protection contractors and industrial pipe fitters be licensed by the Board; requiring fees be paid for licenses; providing for revocation or suspension of license; providing for the payment of fixture fees by wholesalers; providing for inspection; and repealing Sections 66-2401 through 66-2417 and 66-2419 through 66-2427, R.C.M. 1947." Referred to Committee on Business and Industry.

House Bill No. 901, introduced by Schye, Roberts, Brown: A bill for an act entitled: "An act to amend Sections 16-2911 and 16-2914 pertaining to duties and liability for neglect thereof of the county clerks and recorders by adding the provision that such clerks may refuse to record illegible documents and exempting said clerks from liability in such instances." Referred to Committee on Local Government.

House Bill No. 902, introduced by Schye, Roberts, Brown: A bill for an act entitled: "An act amending Sections 23-3308 and 23-3511, Revised Codes of Montana, 1947, by deleting reference to a rotation system of candidate's name arrangement and providing therefor a system of candidate's name arrangement on the ballot when drawn by lot, and providing for an effective date immediately upon passage and approval." Referred to Committee on Constitution, Elections and Federal Relations.

House Bill No. 903, introduced by Roberts, Schye, Brown: A bill for an act entitled: "An act to amend Section 23-3304, R.C.M. 1947, of the election laws pertaining to primary election filing fees by making the filing fee uniform for offices having a salary of more than \$1,000.00 per annum." Referred to Committee on Constitution, Elections and Federal Relations.

House Bill No. 904, introduced by Roberts, Schye: A bill for an act entitled: "An act amending Section 16-1904 by changing from 5% to 7% the amount by which a county budget appropriation can exceed the immediately preceding county budget appropriation." Referred to Committee on Local Government.

House Bill No. 905, introduced by Lockrem (by request): A bill for an act entitled: "An act to amend Section 23-3003, R.C.M. 1947, of the election laws pertaining to deputy registrars by requiring instruction in registration for notaries registering voters, and deleting the requirement of taxpaying status for electors." Referred to Committee on Constitution, Elections and Federal Relations.

House Bill No. 906, introduced by Brand, Driscoll, Roberts: A bill for an act entitled: "An act to establish the Montana Timberland Taxes Act by imposing a timber yield tax and forestland tax as a method of taxing and appraising timberlands as provided in Section 84-429.12, R.C.M. 1947; and providing an effective date." Referred to Committee on Taxation.

House Bill No. 907, introduced by Lombardi, McKittrick, Lee, Mehrens, Lynch, Quilici, Menahan, Kosena, Turman, Baeth, Healy: A bill for an act entitled: "An act to provide for the enforcement of determinations made by the Commissioner of Labor and Industry as provided for in Title 41, Chapters 13 and 23, R.C.M. 1947." Referred to Committee on Labor and Employment Relations.

House Bill No. 908, introduced by Lucas, Quilici, Baucus, Greely: A bill for an act entitled: "An act to provide an additional method of enforcement of mechanic's and materialmen's liens." Referred to Committee on Judiciary.

House Bill No. 909, introduced by Fasbender, Campbell, Driscoll, Swanberg, McKittrick, Greely, Marks: A bill for an act entitled: "An act adopting the Uniform Alcoholism and Intoxication Act, increasing the tax on alcoholic beverages to create a fund for the programs authorized by the uniform act, amending Sections 4-201, 4-240, 4-324, 11-927, 69-6203, 80-2404, and 94-8-105, R.C.M. 1947, and repealing Sections 4-164 and 69-6202, R.C.M. 1947." Referred to Committee on Judiciary.

House Bill No. 910, introduced by Haines, Kosena: A bill for an act entitled: "An act relating to the authority of public employees to enter into a deferred compensation plan and authorizing the purchase of insurance and annuity contracts and mutual fund contracts." Referred to Committee on Labor and Employment Relations.

House Bill No. 911, introduced by Brand, Hager: A bill for an act entitled: "An act requiring a two (2) year moratorium on rail service abandonment; and providing an effective date." Referred to Committee on Business and Industry.

House Bill No. 912, introduced by Brand: A bill for an act entitled: "An act abolishing the old Board of Pardons; and repealing Section 82-903, R.C.M. 1947." Referred to Committee on Judiciary.

House Bill No. 913, introduced by Murphy, Edland, Jacobsen, Lien, Lucas, Aageson: A bill for an act entitled: "An act regarding the issuance of oversize vehicle trip permits to agricultural machinery on weekends; amending Section 32-1127, R.C.M. 1947." Referred to Committee on Highways and Transportation.

House Bill No. 914, introduced by Lombardi, Kosena, Healy, Lee, Quilici, Mehrens, Haines, Ainsworth, Asbjornson: A bill for an act entitled: "An act amending Section 75-7406, R.C.M. 1947, to delete Veterans' Day as a school holiday." Referred to Committee on Education.

House Bill No. 915, introduced by Kimble, Haines, Norman, Bennetts, Murphy, Bradley: A bill for an act entitled: "An act to amend Section 94-5-610, R.C.M. 1947, allowing underage employees to bag, carry or transport beer for customers at grocery stores." Referred to Committee on Labor and Employment Relations.

House Bill No. 916, introduced by Kimble, Edland, Towe, R. Harper, Colberg, Huennekens, Holmes: A bill for an act entitled: "An act amending Sections 82-2701, 82-2702 and 82-2703, R.C.M. 1947; to qualify landless Indians for participation in federal programs in conformation with federal law; providing that the Indian coordinator be an Indian and serve at the pleasure of the Governor; and deleting obsolete language." Referred to Committee on Constitution, Elections and Federal Relations.

House Bill No. 917, introduced by Burnett, Yardley: A bill for an act entitled: "An act removing certification and teaching experience qualifications for the office of county superintendent of schools when that office is consolidated with another county office." Referred to Committee on Education.

House Bill No. 918, introduced by Lynch, Quilici, Lee, Mehrens, Lombardi, Healy, Kosena, Menahan, Tierney, McKittrick, Swanberg, Lucas, Marbut, Turman, Haines, R. Harper: A bill for an act entitled: "An act authorizing school districts to operate middle schools as an alternative to junior high schools, and amending Sections 75-6601, 75-6902, 75-7502, and 75-7504, R.C.M. 1947." Referred to Committee on Education.

House Bill No. 919, introduced by Greely, McKittrick, Fasbender: A bill for an act entitled: "An act requiring life insurance companies to refund a prorated portion of the premium when a life insurance policy is cancelled by the insured; amending Section 40-3813, R.C.M. 1947." Referred to Committee on Business and Industry.

House Bill No. 920, introduced by Greely, McKittrick, Roberts: A bill for an act entitled: "An act to amend the Restaurant, Bar and Tavern Wage Protection Act, removing the liability of lessors for unpaid wages of lessee's employees, amending Sections 41-2002, 41-2003, 41-2004, 41-2005, and 41-2006, R.C.M. 1947, and repealing Sections 41-2007, 41-2009, and 41-2011, R.C.M. 1947." Referred to Committee on Business and Industry.

House Bill No. 921, introduced by Walborn, Smith: A bill for an act entitled: "An act amending Section 46-701, R.C.M. 1947, to provide that stock inspectors and detectives shall receive the same fees or emoluments as deputy sheriffs; and providing an effective date." Referred to Committee on Agriculture, Livestock and Irrigation.

House Bill No. 922, introduced by Lien, Stoltz, Gunderson, Hubing, East, Lucas: A bill for an act entitled: "An act to require notice to surface owner prior to plugging of oil or gas well and providing option to surface owner of having well pipe buried." Referred to Committee on Natural Resources.

House Bill No. 923, introduced by Shelden, Roberts, Baeth, R. Harper, Greely, Towe, Huennekens, Colberg, Baucus: A bill for an act entitled: "An act repealing Section 50-1221, R.C.M. 1947, which is the confidentiality provision of the Hard Rock Mining Act; and providing for an effective date." Referred to Committee on Natural Resources.

House Bill No. 924, introduced by Halvorson, Brand, Swanberg, Lundgren, Huennekens, Towe, Zimmer, Jones, Turner, Brown: A bill for an act entitled: "An act amending the Floodway Management and Regulation Act, Section 89-3501 et. seq., R.C.M. 1947, to provide for the designation of floodplains and floodways; to shorten to six months the time within which a political subdivision may adopt land-use regulations; to empower the Board of Natural Resources and Conservation to shorten upon notice the six-month time period when necessary to comply with federal flood insurance regulations; and to allow local political subdivisions to adopt exclusive floodplain and floodway land-use regulation and permit systems." Referred to Committee on Natural Resources.

House Bill No. 925, introduced by Bennetts, Turner, Lombardi, Bell, McKittrick, Kimble: A bill for an act entitled: "An act amending Section 92-1334, R.C.M. 1947, relating to occupational disease compensation insurance plans, by deleting certain filing fees, and a specific physician's certificate fee; making changes in accordance with the Executive Reorganization Act; and making minor style changes." Referred to Committee on Labor and Employment Relations.

House Bill No. 926, introduced by Murphy, Tierney, R. Harper, Gerke: A bill for an act entitled: "An act to provide for a presidential preference primary election in Montana." Referred to Committee on Constitution, Elections and Federal Relations.

House Bill No. 927, introduced by Baeth, Schye, Galt, Kosena, Murphy, R. Harper, Johnston, Bradley, Shelden, Flynn, Menahan, Lynch, Lucas, Zimmer, Cotton, Lee, Fleming, Jacobsen, Edland, Ageson, Halvorson, Kolstad, Prevost, Stoltz, Kvaalen, Marbut, Roberts, Forsgren, Driscoll, Mann, Seifert, Burnett,

Stephens, Schepens, Lombardi, Brand, Quilici, Manuel, Rolfe, Swanberg, McKittrick, Staigmilller, Mehrens, Yardley, Gunderson, Hodges, Laas: A bill for an act entitled: "An act amending Section 11-1925, R.C.M. 1947, to provide for partial pensions for volunteer firemen who complete ten (10) years' service but are prevented from completing twenty (20) years' service; and providing an effective date." Referred to Committee on Local Government.

House Bill No. 928, introduced by Lynch, McKittrick: A bill for an act entitled: "An act providing for the disposition of wages collected by the Labor Commissioner." Referred to Committee on Labor and Employment Relations.

House Bill No. 929, introduced by Gunderson, Murphy, McKittrick, Holmes: A bill for an act entitled: "An act amending Section 75-6119, R.C.M. 1947, by deleting reference to certain matters on which school boards are not required to negotiate but are obligated to meet and confer, and providing that a district superintendent or county high school principal may not serve as bargaining agent for either an employer or teachers." Referred to Committee on Education.

House Bill No. 930, introduced by Gunderson, Warfield: A bill for an act entitled: "An act to allow school districts to operate less than one hundred eighty (180) days in an emergency with the approval of the Superintendent of Public Instruction; and providing for a proration of a district's share of state equalization funds in this event and amending Sections 75-7402 and 75-6902, R.C.M. 1947." Referred to Committee on Education.

House Bill No. 931, introduced by Lynch, Quilici, Lombardi, Healy, Lee, McKittrick, Mehrens, Tierney, Marbut, Bennetts, H. Harper, R. Harper, Baucus: A bill for an act entitled: "An act to appropriate two hundred thousand dollars (\$200,000) to the Department of Social and Rehabilitation Services from the general fund for the purchase of sheltered employment services and/or work activity services for severely handicapped persons for the period ending June 30, 1975; and providing an effective date." Referred to Committee on Finance and Claims.

House Bill No. 932, introduced by Bell, Greely, Marks, Lynch, Lee: A bill for an act entitled: "An act amending Section 25-605, R.C.M. 1947, to provide for increased salaries for certain county attorneys." Referred to Committee on Local Government.

House Bill No. 933, introduced by Bell, Greely, Olson, Lynch, Lee: A bill for an act entitled: "An act to require hospitals and physicians treating victims of gunshot wounds and stabbings to report to the sheriff of the county." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 934, introduced by Bell, Schye, Roberts, Brown: A bill for an act entitled: "An act to amend Section 23-3301, R.C.M. 1947, to provide that in years when a reapportionment plan is submitted to the legislature the primary election day is changed to the second Tuesday in September." Referred to Committee on Constitution, Elections and Federal Relations.

House Bill No. 935, introduced by Bell, Schye, Roberts, Lynch, Lee: A bill for an act entitled: "An act to amend Section 23-3003, R.C.M. 1947, of the election laws pertaining to deputy registrars by requiring instruction in registration for notaries registering voters, and deleting the requirement of taxpaying status for electors." Referred to Committee on Constitution, Elections and Federal Relations.

House Bill No. 936, introduced by Lee, Bell, Schye, Roberts, Lynch: A bill for an act entitled: "An act amending 25-605, R.C.M. 1947, increasing the salaries of certain county officers." Referred to Committee on Local Government.

House Bill No. 937, introduced by Murphy, Turman: A bill for an act entitled: "An act to appropriate money to the Governor, Attorney General and Public Service Commission to fund the position of intern." Referred to Committee on Finance and Claims.

House Bill No. 938, introduced by Murphy, Aageson: A bill for an act entitled: "An act to amend Section 66-1020, R.C.M. 1947, to increase the compensation and allow for actual and necessary expenses for members of the Board of Medical Examiners." Referred to Committee on Finance and Claims.

House Bill No. 939, introduced by Murphy, Aageson: A bill for an act entitled: "An act to amend Section 66-1026, R.C.M. 1947, to recognize the physician test of the Medical Council of Canada." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 940, introduced by Murphy, Aageson: A bill for an act entitled: "An act to amend Sections 66-1031 and 66-1033, R.C.M. 1947, by authorizing the Board of Medical Examiners to set examination fees." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 941, introduced by Cox (by request): A bill for an act entitled: "An act to amend Sections 16-2911 and 16-2914 pertaining to duties and liability for neglect thereof of the county clerks and recorders by adding the provision that such clerks may refuse to record illegible documents and exempting said clerks from liability in such instances." Referred to Committee on Local Government.

House Bill No. 942, introduced by Lynch, Quilici, Mehrens, Lee, Lombardi, Zimmer, Fagg, Halvorson, Healy, Cox: A bill for an act entitled: "An act amending Section 11-2025, R.C.M. 1947, to clarify the circumstances in which payments under the volunteer firemen's pension plan shall be made to widows and children of deceased volunteer firemen; and providing an effective date." Referred to Committee on Local Government.

House Bill No. 943, introduced by Kolstad, Burnett, Galt, Aageson, Johnston, Clemow, Laas, Lund, Fleming, Jones, Staigmiller, Stoltz, Menahan, Healy, Swanby, Quilici, Murphy, Kimble, Seifert, Selstad, Mercer: A bill for an act entitled: "An act defining overdue insurance claim payments and providing that such payments bear interest." Referred to Committee on Business and Industry.

House Bill No. 944, introduced by Colberg (by request): A bill for an act entitled: "An act requiring hospitals receiving governmental funding to allow fathers in the delivery room when the attending physician has given prior approval, proper supervision is present, the father and mother have successfully completed an approved training program in prepared childbirth, and have released the hospital, its staff, and the attending physician from liability." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 945, introduced by H. Harper, Towe, R. Harper, Castles, Lund, Aageson: A bill for an act entitled: "An act exempting natural persons from prosecution under gambling statutes for certain types of gambling which are not for profit and are not carried on in a business establishment." Referred to Committee on Judiciary.

House Bill No. 946, introduced by Bardanouve: A bill for an act entitled: "An act to amend the Outdoor Advertising Act by amending Section 32-4716, R.C.M. 1947, to define commercial and industrial zones; to amend Section 32-4717, R.C.M. 1947, to define single sign; and to amend Section 32-4722, R.C.M. 1947, to permit the Highway Commission to remove unlawful outdoor advertising." Referred to Committee on Highways and Transportation.

House Bill No. 947, introduced by Fagg: A bill for an act entitled: "An act to amend Section 23-3103, R.C.M. 1947, of the election laws, by providing that polling places need not be within the boundaries of the precinct, and providing for publication of the location of polling places." Referred to Committee on Constitution, Elections and Federal Relations.

House Bill No. 948, introduced by Rolfe: A bill for an act entitled: "An act limiting to eight (8) the number of consecutive years a person may serve as a legislator." Referred to Committee on Constitution, Elections and Federal Relations.

House Bill No. 949, introduced by Roberts, Driscoll, Huennekens, Greely, Baucus, Kimble, Shelden: A bill for an act entitled: "An act to amend Section 89-872, R.C.M. 1947, designating the Department of Fish and Game as the public representative in stream adjudications under the Montana Water Use Act." Referred to Committee on Fish and Game.

House Bill No. 950, introduced by Roberts, Tierney: A bill for an act entitled: "An act for the general revision of the laws relating to the State Building Code,

amending Sections 69-2105, 69-2107, 69-2109, 69-2110, 69-2111, 69-2113, 69-2114, 69-2119, 69-2122 and 69-2123; and repealing Sections 69-2104, 69-2106, 69-2108, 69-2115, 69-2120 and 69-2121, R.C.M. 1947." Referred to Committee on State Administration.

House Bill No. 951, introduced by Roberts, Johnston, Stephens: A bill for an act entitled: "An act to amend Sections 26-201, 46-1902 and 46-1903, R.C.M. 1947, to remove the mountain lion, wolverine and cougar from the predatory animal and wild animal classification." Referred to Committee on Fish and Game.

House Bill No. 952, introduced by Fagg, Walborn, Murphy, Tierney, Hager, Watt, Holmes, Colberg, Towe, Huennekens, Bennetts: A bill for an act entitled: "An act requiring an owner of Class Seven new industrial property to reimburse local governments for necessary increases in local government services." Referred to Committee on Local Government.

House Bill No. 953, introduced by Fagg, Walborn, Smith, Regan, Halvorson, Murphy, Tierney, Hager, Watt, Holmes, Colberg, Huennekens, Towe: A bill for an act entitled: "An act amending Section 75-7104, R.C.M. 1947, and authorizing school bond issues in excess of the limitation on indebtedness where major industrial facilities are under construction or about to be constructed." Referred to Committee on Education.

House Bill No. 954, introduced by Baeth, Schye, Shelden, Galt: A bill for an act entitled: "An act amending Section 11-1912, R.C.M. 1947, to provide for funding of disability and pension funds of fire department relief associations in Third Class cities; and providing an effective date." Referred to Committee on Local Government.

House Bill No. 955, introduced by Norman, Roberts: A bill for an act entitled: "An act amending Section 11-4101, R.C.M. 1947, providing a definition of industrial development projects; and amending Section 11-4103, R.C.M. 1947, to require the governing body of a municipality or county to hold a public hearing and determine public interest before issuing industrial development bonds." Referred to Committee on Local Government.

House Bill No. 956, introduced by Colberg (by request): A bill for an act entitled: "An act to amend Section 23-3301, R.C.M. 1947, to provide that in years when a reapportionment plan is submitted to the legislature the primary election day is changed to the second Tuesday in September." Referred to Committee on Constitution, Elections and Federal Relations.

House Bill No. 957, introduced by Gerke, Mehrens, Halvorson, Haines, Ulmer, Glennen, Mercer, Hager, Fagg, Colberg, Holmes, Huennekens, Lockrem, Regan, Towe, Cox: A bill for an act entitled: "An act amending Section 59-510(2), R.C.M. 1947, and repealing 59-510(1), R.C.M. 1947, to remove superfluous language; amending Section 16-2414, R.C.M. 1947, providing for optional office hours of state, county, and municipal offices." Referred to Committee on State Administration.

House Bill No. 958, introduced by Bradley, Forsgren: A bill for an act entitled: "An act amending Section 75-8601, R.C.M. 1947, waiver of tuition for resident senior citizens within the Montana University System." Referred to Committee on Education.

House Bill No. 959, introduced by Marks: A bill for an act entitled: "An act to define the county of residence, for welfare purposes, of persons discharged from a state institution, and amending Section 71-302.1, R.C.M. 1947." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 960, introduced by Tierney, Stephens, Driscoll, Johnston, Lynch, Quilici, Castles, Lee, Menahan, Flynn, Seifert, Smith, Kosena, Murphy, Hodges, Edland, Lombardi, McKittrick, Healy, Glennen, Ageson, Lockrem, Cox, Campbell, Jones, Mehrens, Bell, Staigmillier, R. Harper, Swanberg, Gunderson, Clemow, Hageman, Schepens, Brand, Laas, Brown, Burnett, Lundgren, Kessner, Turner, Schye, Asbjornson, Turman, Huennekens, Galt, Marks, Ulmer, Fagg, Hubing, Barrett, Hager, East, Fleming, Roberts, Forsgren: A bill for an act entitled: "An act repealing Section 4-170, R.C.M. 1947, relating to canvassing and advertising sale of liquor or beer." Referred to Committee on Business and Industry.

House Bill No. 961, introduced by Tierney, Fagg, Kimble, Lynch, Gunderson, Brown, Kolstad, Burnett, Lockrem, Forsgren, Aageson, Barrett, Seifert, Smith, Selstad, Mann, Ainsworth, Haines, Schye, Galt, Cox, Glennen, Mercer, Rolfe, Hager: A bill for an act entitled: "An act to amend Section 91-4414, R.C.M. 1947, providing for exemptions from the state inheritance tax." Referred to Committee on Taxation.

House Bill No. 962, introduced by Tierney, Swanberg, Fagg, Gerke, Aageson, Seifert, Ainsworth, Ulmer, Fasbender, Forsgren, Gunderson, Barrett, Clemow, Driscoll, Kolstad, Burnett, Watt: A bill for an act entitled: "An act to provide for a ten percent (10%) tax on income realized from gambling and from the manufacture, sale, lease, distribution or other disposition of gambling devices in Montana; and providing penalties." Referred to Committee on Taxation.

House Bill No. 963, introduced by Tierney, Swanberg, Lee, Mehrens, Jones, Schye, Clemow, Lynch: A bill for an act entitled: "An act to amend Section 4-170, R.C.M. 1947, to provide for the advertising, canvassing or soliciting of orders for the purchase or sale of liquor by advertisers, agents or intermediaries of advertisers, distillers or distributors; and, providing a license and a fee therefor." Referred to Committee on Business and Industry.

House Bill No. 964, introduced by Marks, Schye, Cotton, Kvaalen, Norman, Kendall, Prevost, Asbjornson, Barrett: A bill for an act entitled: "An act providing that all seventh and eighth grade pupils be counted as high school pupils for ANB budgeting." Referred to Committee on Education.

House Bill No. 965, introduced by Driscoll, Bardanoue: A bill for an act entitled: "An act insuring that the requirements of all applicable state and federal laws be met prior to the commencement of condemnation proceedings, and amending Section 93-9907, R.C.M. 1947." Referred to Committee on Judiciary.

House Bill No. 966, introduced by Turman, Mann, Schepens: A bill for an act entitled: "An act to amend Section 9-401, R.C.M. 1947, to permit counties to acquire and conduct cemeteries already established and conducted by municipal corporations." Referred to Committee on Local Government.

House Bill No. 967, introduced by Murphy, Kolstad: A bill for an act entitled: "An act to amend Sections 66-2503 and 66-2505, R.C.M. 1947, to authorize the Board of Medical Examiners to set examination fees." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 968, introduced by Hageman, Brand, Burnett, Staigmiller, Gunderson: A bill for an act entitled: "An act to amend Sections 3-805 and 3-806.1, R.C.M. 1947, delineating the duties of the Department of Agriculture and the Grain and Seed Laboratory." Referred to Committee on Agriculture, Livestock and Irrigation.

House Bill No. 969, introduced by Fagg, H. Harper, Kimble, Colberg, Huennekens: A bill for an act entitled: "An act establishing the Montana Outdoor Recreation System and prescribing methods and policies for its authorization, acquisition, establishment, and management." Referred to Committee on Fish and Game.

House Bill No. 970, introduced by Roberts, Baeth, Kendall, Shelden: A bill for an act entitled: "An act amending Section 93-301, R.C.M. 1947, to create the Nineteenth Judicial District of Montana." Referred to Committee on Judiciary.

House Bill No. 971, introduced by Roberts, Tierney: A bill for an act entitled: "An act providing for the administration of an Emergency Medical Services Program by the Department of Health and Environmental Sciences." Referred to Committee on Public Health, Welfare, and Safety.

House Bill No. 972, introduced by Roberts: A bill for an act entitled: "An act requiring real estate brokers to keep the funds of clients separate from their own funds and to keep records of their transactions." Referred to Committee on Business and Industry.

House Bill No. 973, introduced by Roberts: A bill for an act entitled: "An act to amend Section 4-403, to change the required number of inhabitants necessary

to receive five (5) retail liquor licenses incorporated cities of over three thousand (3,000) inhabitants and within a distance of five (5) miles from the corporate limits thereof from three thousand (3,000) inhabitants to fifteen hundred (1,500) inhabitants." Referred to Committee on Business and Industry.

House Bill No. 974, introduced by Roberts: A bill for an act entitled: "An act to amend Section 4-403, relating to the number of retail liquor licenses authorized to be issued." Referred to Committee on Business and Industry.

House Bill No. 975, introduced by Roberts, Driscoll: A bill for an act entitled: "An act to provide for public financing of campaigns for election to certain statewide offices: To establish an Election Finance Board: To limit certain campaign expenditures and contributions, to provide penalties: And to repeal Section 94-1428, R.C.M. 1947." Referred to Committee on Constitution, Elections, and Federal Relations.

House Bill No. 976, introduced by Roberts (by request): A bill for an act entitled: "An act to amend Section 95-1709, R.C.M. 1947, to provide for a random selection of successor District Judges upon disqualification instead of allowing the disqualified District Judge to make selection of the successor." Referred to Committee on Judiciary.

House Bill No. 977, introduced by Roberts (by request): A bill for an act entitled: "An act to amend Section 93-901, R.C.M. 1947, to provide for a random selection of successor District Judges upon disqualification instead of allowing the disqualified District Judge to make selection of the successor." Referred to Committee on Judiciary.

House Bill No. 978, introduced by Turman, Kendall: A bill for an act entitled: "An act increasing the term of office of Municipal Court Judges to four (4) years and providing for their election; deleting the authority of Municipal Judges to suspend court, and removing obsolete language; amending Sections 11-1703 and 11-1708, R.C.M. 1947." Referred to Committee on Judiciary.

House Bill No. 979, introduced by Kolstad, Turner, Aageson, Glennen, Barrett: A bill for an act entitled: "An act to prohibit the wearing of ear listening devices while operating a motor vehicle; and providing a penalty." Referred to Committee on Highways and Transportation.

House Bill No. 980, introduced by Regan (by request): "A bill for an act entitled: "An act to conform charitable trusts and corporations which are private foundations within the meaning of the Internal Revenue Code with the requirements of Section 508(E) of the Internal Revenue Code by restricting certain activities; and providing for exceptions." Referred to Committee on Business and Industry.

House Resolution No. 48, introduced by Brown, Lundgren, Jones, Zimmer, Turner, Halvorson, Gunderson: A Resolution of the House of Representatives of the State of Montana to encourage all junior and senior high schools in the State of Montana to offer courses of instruction to prepare young people for the responsibilities of adulthood and parenthood. Referred to Committee on Education.

House Joint Resolution No. 50, introduced by Murphy, Kvaalen, Laas, Aageson, Kolstad, Smith: A Joint Resolution of the Senate and the House of Representatives of the State of Montana submitting to the qualified voters of the state an amendment to Article VIII of the 1972 Montana Constitution limiting the rate of taxation on real and personal property for state purposes to two (2) mills on each dollar of valuation. Referred to Committee on Taxation.

House Joint Resolution No. 51, introduced by McKittrick, Lucas, Greely, Lynch, Turner: A Joint Resolution of the Senate and the House of Representatives of the State of Montana requesting the Committee on Priorities to assign the Legislative Council to conduct a study of the premium rate structure, especially under Plan Two (2), of the Workmen's Compensation Act and to have it report its findings and recommendations to the First Regular Session of the Forty-fourth Legislature. Referred to Committee on Labor and Employment Relations.

House Joint Resolution No. 52, introduced by Tierney, Bennetts, Norman, Aageson, Lynch, H. Harper: A Joint Resolution of the Senate and the House of Representatives of the State of Montana commending and supporting the Supple-

mental Security Income Program and commending the American National Red Cross for their participation in the program. Referred to Committee on Constitution, Elections, and Federal Relations.

House Joint Resolution No. 53, introduced by Aageson, Tierney, Gunderson, Stephens, Huennekens, H. Harper, Colberg, Kolstad, Murphy, Holtz, Jacobsen, Manuel: A Joint Resolution of the Senate and the House of Representatives of the State of Montana recognizing the potential impact of summer weather modification on Montana's water resources, environment, agricultural industry and economy, and endorsing research efforts to better understand this technology and its impacts. Referred to Committee on Natural Resources.

House Joint Resolution No. 54, introduced by Colberg, Bardanouve, Fasbender, Walborn: A Joint Resolution of the House of Representatives and Senate informing the Montana Congressional Delegation and appropriate Federal agencies that coal-based industrial demands for waters of the Yellowstone Basin are increasing and that the consequences of large scale consumptive withdrawals are poorly understood and that Federal support for detailed field investigations is needed and in order. Referred to Committee on Natural Resources.

House Joint Resolution No. 55, introduced by Bradley, Kimble, R. Harper: A Joint Resolution of the Senate and the House of Representatives of the State of Montana directing the Montana Historical Society to conduct a study of the property in Helena formerly known as Dorothy's Rooms and to evaluate ways of preserving such property as a historic landmark. Referred to Committee on State Administration.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Hall moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading under the rules of the previous sitting.

Motion carried.

Lynch in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

January 17, 1974

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That House Bill No. 643 do pass. (74-21)

That House Bill No. 647 do not pass. (75-19)

That Senate Amendments to House Bill No. 479 be concurred in. (92-0)

That the Committee rise and report.

LYNCH, Chairman

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 624 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost,

Quilici, Regan, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Staigmillier, Stephens, Stoltz, Swanberg, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker: Total 93.

Noes: Smith. Total 1.

Excused: Baeth, Colberg, Roberts, Tierney. Total 4.

Absent or not voting: Burnett, Lund. Total 2.

House Bill No. 662 was passed by the following vote:

Ayes: Ageson, Ainsworth, Asbjornson, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brown, Campbell, Castles, Clemow, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Forsgren, Galt, Gerke, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Hodges, Holmes, Holtz, Hubing, Huennekens, Jones, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lien, Lockrem, Lucas, Lund, Lundgren, Mann, Manuel, Marbut, Marks, Mercer, Murphy, Norman, Olson, Prevost, Regan, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Staigmillier, Stephens, Stoltz, Swanberg, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer. Total 81.

Noes: Brand, Burnett, Flynn, Healy, Jacobsen, Kendall, Lee, Lombardi, Lynch, McKittrick, Mehrens, Menahan, Quilici, Smith. Total 14.

Excused: Baeth, Colberg, Roberts, Tierney. Total 4.

Absent or not voting: Johnston. Total 1.

House Joint Resolution No. 39 was passed by the following vote:

Ayes: Ageson, Ainsworth, Asbjornson, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Driscoll, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Laas, Lee, Lien, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Quilici, Regan, Schepens, Schye, Seifert, Shelden, Staigmillier, Stephens, Stoltz, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 83.

Noes: Burnett, Cox, East, Hubing, Kvaalen, Lockrem, Marks, Mercer, Rolfe, Selstad, Smith, Swanberg, Walborn. Total 13.

Paired: Colberg, Aye; Kvaalen, Nay.

Excused: Baeth, Roberts, Tierney. Total 3.

Absent or not voting: Galt. Total 1.

Fasbender moved that the House adjourn until 1:30 p.m., January 18, 1974.

Motion carried.

House adjourned.

HAROLD E. GERKE, Speaker

EDWIN A. SMITH, Chief Clerk

ELEVENTH LEGISLATIVE DAY

Helena, Montana
January 18, 1974

House Chambers
Capitol Building

House convened at 1:30 p.m., Mr. Speaker in the Chair.

Invocation by the Chaplain.

Pledge of Allegiance to the Flag.

Roll call. All members present except Hall, Laas, Colberg, Lucas, Holtz, Schye and Kolstad, all excused.

Quorum present.

Mr. Speaker: We, your Committee on Bills and Journal, having examined the daily journal for the Tenth Legislative Day, find the same to be correct.

QUILICI, Chairman

REPORTS OF STANDING COMMITTEES

January 17, 1974
reported January 18, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill considered correctly engrossed: House Bill No. 643.

QUILICI, Chairman

January 17, 1974
reported January 18, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly printed: House Bill No. 711, House Bill No. 752.

QUILICI, Chairman

January 18, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly printed: House Bill No. 577, House Bill No. 694, House Bill No. 716, House Bill No. 717, House Bill No. 742, House Bill No. 757.

QUILICI, Chairman

January 18, 1974

Mr. Speaker: We, your Committee on Legislative Administration, recommend the following attaches employed by the House of Representatives of the Second Regular Session of the 43rd Legislature be reclassified as of January 7, 1974:

Donna Carney.....Stenographer

Vickie KrollCommittee Secretary

EDLAND, Chairman

Report adopted.

January 18, 1974

Mr. Speaker: We, your Committee on Local Government, having had under consideration House Bill No. 213, respectfully report as follows: That House Bill No. 213 be amended as follows:

On page 1 of the introduced bill, line 24 after the word "acquiring" by inserting the punctuation and word ", maintaining", and

As amended, do pass.

KOSENSA, Chairman

Report adopted.

January 17, 1974

Mr. Speaker: We, your Committee on Taxation, having had under consideration House Bill No. 498, respectfully report as follows: That House Bill No. 498 do not pass.

WATT, Chairman

January 17, 1974

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 664, respectfully report as follows: That House Bill No. 664 be amended as follows:

Amend the title of the introduced bill, page 1, line 11, following the word and punctuation "valuations;" by striking the word "and", and

Further amend the title of the introduced bill, page 1, line 12, following the figure "1947" by inserting the following punctuation and words: "; and providing an effective date", and

Further amend the introduced bill, page 4, following line 11, by adding the following new section:

"Section 3. This act shall be effective on January 1, 1975.", and

As amended, do pass.

BRAND, Chairman

Report adopted.

January 17, 1974

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 665, respectfully report as follows: That House Bill No. 665 be amended as follows:

Amend the title of the introduced bill, page 1, line 11, following the word and punctuation "valuations;" by striking the word "and", and

Further amend the title of the introduced bill, page 1, line 12, following the figure "1947" by inserting the following words and punctuation: "; and providing an effective date", and

Further amend the introduced bill, page 4, following line 3, by adding the following new section:

"Section 3. This act shall be effective on January 1, 1975.", and

As amended, do pass.

BRAND, Chairman

Report adopted.

January 17, 1974

Mr. Speaker: We, your Committee on Natural Resources, having had under consideration House Bill No. 728, respectfully report as follows: That House Bill No. 728 do not pass.

SHELDEN, Chairman

January 17, 1974

Mr. Speaker: We, your Committee on Highways and Transportation, having had under consideration House Bill No. 743, respectfully report as follows: That House Bill No. 743 do pass.

LAAS, Chairman

Report adopted.

January 17, 1974

Mr. Speaker: We, your Committee on Highways and Transportation, having had under consideration House Bill No. 754, respectfully report as follows: That House Bill No. 754 do pass.

LAAS, Chairman

Report adopted.

January 16, 1974

Mr. Speaker: We, your Committee on Agriculture, Livestock and Irrigation, having had under consideration House Bill No. 762, respectfully report as follows: That House Bill No. 762 do pass.

FLEMING, Chairman

Report adopted.

January 18, 1974

Mr. Speaker: We, your Committee on Local Government, having had under consideration House Bill No. 775, respectfully report as follows: That House Bill No. 775 be amended as follows:

Amend the introduced bill, by deleting all material from line 19 on page 8 through line 3 on page 9 and insert in lieu thereof the following material:

"(1) in first class counties, the salary shall be seven thousand two hundred dollars (\$7,200) a year;

(2) in second class counties, the salary shall be six thousand dollars (\$6,000) a year;

(3) in third class counties, the salary shall be five thousand four hundred dollars (\$5,400) a year;

(4) in fourth class counties, the salary shall be four thousand eight hundred dollars (\$4,800) a year;

(5) in fifth, sixth and seventh class counties, the amount of the salary shall be determined by the board of county commissioners; provided, however, that it may be no higher than four thousand dollars (\$4,000) per year.", and

As amended, do pass.

KOSENSA, Chairman

Report adopted.

January 18, 1974

Mr. Speaker: We, your Committee on Local Government, having had under consideration House Bill No. 794, respectfully report as follows: That House Bill No. 794 be amended on lines 16 and 17, page one of the introduced bill by replacing the words "must" by "may", and

As amended, do pass.

KOSENSA, Chairman

Report adopted.

January 18, 1974

Mr. Speaker: We, your Committee on Labor and Employment Relations, having had under consideration House Bill No. 812, respectfully report as follows: That House Bill No. 812 do pass.

MCKITTRICK, Chairman

Report adopted.

January 18, 1974

Mr. Speaker: We, your Committee on Labor and Employment Relations, having had under consideration House Bill No. 823, respectfully report as follows: That House Bill No. 823 do pass.

McKITTRICK, Chairman

Report adopted.

January 18, 1974

Mr. Speaker: We, your Committee on Labor and Employment Relations, having had under consideration House Bill No. 842, respectfully report as follows: That House Bill No. 842 do pass.

McKITTRICK, Chairman

Report adopted.

January 18, 1974

Mr. Speaker: We, your Committee on Labor and Employment Relations, having had under consideration House Bill No. 843, respectfully report as follows: That House Bill No. 843 do pass.

McKITTRICK, Chairman

Report adopted.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 43 was adopted by the following vote:

Ayes: Ageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kosena, Kvaalen, Lee, Lien, Lockrem, Lombardi, Lund, Lundgren, McKittrick, Mann, Manuel, Marbut, Marks, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Rolfe, Schepens, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 84.

Noes: None.

Excused: Colberg, Hall, Holtz, Kolstad, Laas, Lucas, Schye. Total 7.

Absent or not voting: Burnett, Clemow, Cotton, Hubing, Lynch, Mehrens, Roberts, Towe, Walborn. Total 9.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 356 was adopted by the following vote:

Ayes: Ageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kosena, Kvaalen, Lee, Lien, Lockrem, Lombardi, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Rolfe, Schepens, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 85.

Noes: None.

Excused: Colberg, Hall, Holtz, Kolstad, Laas, Lucas, Schye. Total 7.

Absent or not voting: Burnett, Cotton, Galt, Huennekens, Mehrens, Roberts, Towe, Walborn. Total 8.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 666 was adopted by the following vote:

Ayes: Ageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R.

Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kosena, Kvaalen, Lee, Lien, Lockrem, Lombardi, Lund, Lundgren, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Seifert, Selstad, Shelden, Smith, Staigmilller, Stephens, Stoltz, Swanberg, Tierney, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 87.

Noes: None.

Excused: Colberg, Hall, Holtz, Kolstad, Laas, Lucas, Schye. Total 7.

Absent or not voting: Bell, Cotton, Galt, Lynch, Towe, Walborn. Total 6.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 713 was adopted by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Glennen, Greely, Gunderson, Hageman, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kosena, Kvaalen, Lee, Lien, Lockrem, Lombardi, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Menahan, Mercer, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Seifert, Selstad, Smith, Staigmilller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 84.

Noes: Holmes, Murphy, Shelden. Total 3.

Excused: Colberg, Hall, Holtz, Kolstad, Laas, Lucas, Schye. Total 7.

Absent or not voting: Ainsworth, Cotton, Galt, Hager, Mehrens, Walborn. Total 6.

MESSAGES FROM THE GOVERNOR

January 17, 1974

The Honorable Harold Gerke

Speaker of the House
43rd Legislature
State Capitol
Helena, Montana 59601

Dear Mr. Speaker and Members of the House of Representatives:

It now appears that the energy crisis will have a severe effect on the every day life of all Americans. For this reason, government must attempt to find solutions to the problems created by the energy crisis. All of us live in a shelter of some kind, whether it be a private home, an apartment, or a condominium. In each case, I am sure all of us are aware that there are certain basic steps that can be taken to insure that our homes will remain warm in the winter and cool in the summer. For this reason, I am requesting that the attached legislation which is entitled, "AN ACT TO REQUIRE THE DEPARTMENT OF ADMINISTRATION AND MUNICIPALITIES TO ADOPT A STATE BUILDING CODE FOR ENERGY CONSERVATION; AMENDING SECTION 69-2105, 69-2109, 69-2110, 69-2111, AND 69-2114; AND PROVIDING FOR AN EFFECTIVE DATE" be introduced.

Under the current State Building Code Law, the Department of Administration has the authority to adopt a state building code imposing standards for health and safety. In addition, incorporated cities and towns are also authorized to adopt stricter standards than those imposed by the state building code. The attached legislation would expand the authority of the Department of Administration to permit them to adopt nationally recognized standards for energy conservation. Municipal governments would then be required to either enforce the state building code for energy conservation or adopt stricter standards of their own.

I am convinced that the attached legislation constitutes a long-range solution to one of the major problems of the energy crisis. If we can conserve energy in

our homes as well as in our cars, then we can do our part to alleviate the shortages that currently plague us.

I thank you for your careful consideration of this proposed legislation.

Sincerely,

THOMAS L. JUDGE
Governor

January 17, 1974

The Honorable Harold Gerke
Speaker of the House
43rd Legislature, 2nd Session
State Capitol
Helena, Montana 59601

Dear Mr. Speaker and Members of the House of Representatives:

During the 1973 legislative session, I vetoed Senate Bill 233, a bill which would have changed the point at which sound levels for snowmobiles are measured from 15 feet to 15 meters. I vetoed Senate Bill 233 because I was convinced that Montana snowmobilers should be able to purchase snowmobiles that would not produce excessive levels of noise. Since that time, my office has been working closely with various snowmobile consumers around the State of Montana and with manufacturers of snowmobiles throughout the nation to write legislation which would solve the current dilemma that exists under Montana law. Thus, as an end product of those efforts, I am requesting that the attached legislation which is entitled, "AN ACT TO AMEND THE NOISE LIMITATION STANDARDS FOR SNOWMOBILES; AMENDING THE ENFORCEMENT OF PENALTY PROVISIONS OF THE ACT REGULATING SNOWMOBILE NOISE; AMENDING SECTIONS 53-1012, 53-1020, 53-1022, AND 53-1023" be introduced.

The attached legislation is designed to clear up any question that exists under current law regarding the sale of new snowmobiles. The primary burden of complying with the snowmobile noise limitation provisions contained in the attached legislation is placed upon the manufacturer and not upon the consumer. The noise limitation provisions are modeled after legislation which was enacted in the State of New York in 1973. Basically, the accompanying legislation provides that new snowmobiles manufactured prior to June 30, 1975 cannot be offered for sale unless the manufacturer certifies that those snowmobiles can meet a sound level limitation of not more than 82 decibels measured at 50 feet.

For new snowmobiles manufactured after June 30, 1975 but prior to June 30, 1978, the attached legislation requires that the manufacturer certify that those machines can meet a sound level limitation of not more than 78 decibels measured at 50 feet.

After June 30, 1978, no new snowmobiles can be sold within the State of Montana unless the manufacturer can certify that a machine can meet a sound level limitation of not more than 73 decibels measured at 50 feet.

As should be obvious, it is the manufacturer who bears the burden of certifying that new snowmobiles sold or offered for sale within the State of Montana can meet the sound level limitations established by the proposed legislation. The consumer, however, must reasonably maintain any machine purchased under the provisions of this law. Nevertheless, the consumer is entitled to rely upon the certification by the manufacturer that a particular snowmobile can meet the noise level limitations of this act and thus the consumer is protected if he does maintain his machine in a reasonable manner.

The attached legislation also clarifies the noise level limitation requirements applicable to organized races and competitive events. There is some question under the present law as to just what the phrase "outside the boundaries of the area designated for such event" means. The addition of subsection (h) to Section 53-1020, R.C.M. 1947, clarifies the discrepancy which exists under the current law.

Finally, the attached legislation clarifies the enforcement and penalty provisions contained in Montana's snowmobile legislation. Under prior law it was unclear whether or not manufacturers could still sell machines which did not comply with the noise level limitations of the act. The attached legislation would make it clear that only machines that can be certified as complying with the appropriate noise level limitations could be sold within the State of Montana.

I thank you for your careful consideration of this proposed legislation.

Sincerely,

THOMAS L. JUDGE
Governor

MESSAGES FROM THE OTHER HOUSE

January 17, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was this day read three several times and concurred in as amended, title and history agreed to, and the bill is herewith returned to the House for concurrence in Senate amendments:

House Bill No. 592, introduced by Marbut

Respectfully,

JOHN N. HANSON
Secretary of the Senate

MOTIONS

Turman moved that House Bill No. 610 be taken from Second Reading and referred to the Committee on Local Government.

Motion carried.

Turman moved that House Bill No. 978 be taken from the Committee on Judiciary and referred to Committee on Local Government.

Motion carried.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following bills were introduced, read first time and referred to committees:

House Bill No. 981, introduced by Stephens, Gunderson, Stoltz, Aageson, Manuel, Bardanouve, Mann, Murphy, Kolstad, Fasbender, Edland, Lien, Johnston, Holtz, Jacobsen: A bill for an act entitled: "An act to amend Section 84-1847, R.C.M. 1947, to reduce by three cents (\$.03) the tax on gasoline containing a grain alcohol additive, manufactured from Montana agricultural products, in place of lead." Referred to Committee on Agriculture, Livestock and Irrigation.

House Bill No. 982, introduced by Kosena: A bill for an act entitled: "An act regulating the fees of private employment agencies; amending Section 41-1422, R.C.M. 1947 relating to employer interview requests to private employment agencies; and amending 41-1425, R.C.M. 1947 relating to bonds for private employment agencies." Referred to Committee on Business and Industry.

House Bill No. 983, introduced by Kolstad, Warfield, Galt, Baeth, Murphy, Johnston, Quilici, Aageson, Tierney, Laas, Turner, Stoltz, Stephens, Edland, Smith, H. Harper, Hubing, Lockrem, Rolfe, Hager, Bennetts, R. Harper: A bill for an act entitled: "An act regulating Montana's standard of time; removing Montana from the present daylight savings time; and providing an effective date." Referred to Committee on Constitutions, Elections and Federal Relations.

House Bill No. 984, introduced by Brand: A bill for an act entitled: "An act pro-

viding for the examination each fiscal year by the Department of Intergovernmental Relations of the books and accounts of county and municipal officers and boards, incorporated cities and towns, school districts, irrigation districts, conservancy districts, fire districts and volunteer fire departments, fire department relief associations, television districts, hospital districts, public cemetery districts, drainage districts, and water and sewer districts; providing for departmental reports to political subdivisions examined; providing that accounting methods be prescribed by department; amending Section 89-2107, R.C.M. 1947; and repealing Section 75-6807, R.C.M. 1947." Referred to Committee on State Administration.

House Bill No. 985, introduced by Bennetts, Baucus: A bill for an act entitled: "An act to amend Section 10-603, R.C.M. 1947, the jurisdictional statute with respect to juveniles, to conform the references to certain serious crimes for which a juvenile can be tried as an adult, to the appropriate citations in the new Montana Criminal Code of 1973." Referred to Committee on Judiciary.

House Bill No. 986, introduced by Bardanoue: A bill for an act entitled: "An act creating two new sections to be placed in Title 11, Chapter 22 and Title 16, Chapter 16, R.C.M. 1947, respectively; excluding tax deed lots from liability for assessment for special improvement district and rural improvement district taxes while the tax deed lots are in the custody of the county in which the lots are located." Referred to Committee on Taxation.

House Bill No. 987, introduced by Haines, Gerke, Bardanoue, Turman, Ainsworth, Mann, Seifert, Walborn, Marbut, Smith, Olson, Barrett, Glennen, Healy, Rolfe, Ulmer, Holtz, R. Harper, Bell, Watt, Kendall, Clemow, Hodges, Bradley, Kosena, Mehrens, Zimmer, Fagg, Asbjornson, Cox, Lee, Tierney: A bill for an act entitled: "An act to appropriate money for the purpose of publishing two (2) unpublished legislative journals." Referred to Committee on Finance and Claims.

House Bill No. 988, introduced by Menahan, Mehrens, Lynch, Lee, Healy: A bill for an act entitled: "An act to amend Sections 80-1701, 80-2404, and 80-2401, R.C.M. 1947, to provide for an alcoholism services center at Galen State Hospital rather than at Warm Springs; and to make the admittance and discharge procedures the same as for ill persons." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 989, introduced by Menahan, Kosena, Mehrens, Lee, Quilici, Lynch, Brand: A bill for an act entitled: "An act to amend the noise limitation standards for snowmobiles; amending the enforcement and penalty provisions of the act regulating snowmobile noise; and amending Sections 53-1012, 53-1020, 53-1022, and 53-1023, R.C.M. 1947." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 990, introduced by McKittrick, Barrett, Brown, Lynch, Menahan: A bill for an act entitled: "An act to provide for mediation, fact-finding and arbitration procedures when disputes exist with regard to professional negotiation agreements for teachers; and repealing Section 75-6123, R.C.M. 1947." Referred to Committee on Labor and Employment Relations.

House Bill No. 991, introduced by Healy, Lombardi, Lee, Quilici, Hodges, Lynch, Mehrens, Kosena, Cox, R. Harper, Staigmilller, Lucas, McKittrick, Greely, Swanberg, Tierney, Hall: A bill for an act entitled: "An act continuing payments for silicosis to a surviving spouse." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 992, introduced by Fagg, Colberg, Huennekens, Bradley: A bill for an act entitled: "An act imposing additional taxes on energy-consuming automobiles to encourage the purchase of automobiles consuming less gasoline as an energy conservation measure, and amending Section 84-406, R.C.M. 1947." Referred to Committee on Taxation.

House Bill No. 993, introduced by Fagg, Colberg, Huennekens, Bradley: A bill for an act entitled: "An act requiring the average fuel consumption rate of each type of automobile or light truck to be determined, and the rate displayed on each such vehicle offered for sale, amending Section 53-118, R.C.M. 1947; and providing an effective date." Referred to Committee on Highways and Transportation.

House Bill No. 994, introduced by Fagg, Colberg, Huennekens, Towe, R. Harper, Bradley, Marbut, H. Harper: A bill for an act entitled: "An act directing the Department of Revenue to study the feasibility of various tax incentives for energy conservation." Referred to Committee on Taxation.

House Bill No. 995, introduced by Fagg, Colberg, Brown, Huennekens, Towe, R. Harper, Bradley, Marbut, H. Harper: A bill for an act entitled: "An act prohibiting the illumination of billboards along highways as a nonessential energy use, and amending Section 32-4722, R.C.M. 1947." Referred to Committee on Highways and Transportation.

House Bill No. 996, introduced by Fagg, Colberg, Brown, Huennekens, R. Harper, Towe, Bradley, Marbut, H. Harper: A bill for an act entitled: "An act requiring the adoption of rules to promote conservation and efficient use of energy in the State Building Code, and amending Sections 69-2110 and 69-2111, R.C.M. 1947." Referred to Committee on Natural Resources.

House Bill No. 997, introduced by Fagg, Towe, Colberg, Brown, Huennekens, R. Harper, Bradley, Marbut, H. Harper: A bill for an act entitled: "An act fixing maximum temperatures in public buildings." Referred to Committee on State Administration.

House Bill No. 998, introduced by Fagg, Colberg, Brown, Huennekens, R. Harper, Marbut, H. Harper, Towe. A bill for an act entitled: "An act banning the use of outdoor gas torches, lamps, and other devices used for commercial decoration or advertising purposes and providing a penalty." Referred to Committee on Business and Industry.

House Bill No. 999, introduced by Marbut, Olson, Baucus, Driscoll, Brown, Holmes: A bill for an act entitled: "An act to redefine the circumstances under which a minor may validly consent to receive medical or surgical care, and to amend Sections 69-6101, 69-6102, 69-6103, 69-6104, and 69-6105, R.C.M. 1947." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 1000, introduced by Gerke, Regan, Baucus, Holmes, Glennen, Turman, Cox: A bill for an act entitled: "An act placing all local commissions, districts, boards and agencies under the authority of a mayor or local governing body which has appointed the members of such agencies." Referred to Committee on Local Government.

House Bill No. 1001, introduced by Murphy: A bill for an act entitled: "An act to amend Section 23-2604, R.C.M. 1947, to provide that general elections shall be held on the second Tuesday in September during Reapportionment years." Referred to Committee on Constitution, Elections and Federal Relations.

House Bill No. 1002, introduced by Castles, Bell, Halvorson: A bill for an act entitled: "An act requiring state departments and administrative agencies to promulgate initial rules and regulations within six (6) months of the effective date of enacted legislation requiring the regulations or to explain their failure to promulgate such initial regulations." Referred to Committee on State Administration.

House Bill No. 1003, introduced by Holmes, Turman, Hall, Baucus, Castles, Marbut: A bill for an act entitled: "An act to make available to a woman who requests an abortion, at least two (2) counseling sessions with a qualified counselor." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 1004, introduced by Holmes, Gunderson, Hodges, Bennetts, Regan, Brown, Baucus: A bill for an act entitled: "An act appropriating fifty-five thousand dollars (\$55,000) to the Commission on Human Rights from the general fund for operating expenses for the biennium ending June 30, 1975; appropriating available federal and private monies; and providing an effective date." Referred to Committee on Finance and Claims.

House Bill No. 1005, introduced by Holmes, Kosena, Lee, Fagg, Huennekens, Hager, Mehrens: A bill for an act entitled: "An act revising and updating the 'Coal Mining Code' with both substantive and housekeeping changes; amending Sections 50-401 through 50-405, 50-407, 50-428 through 50-434 and 50-468, R.C.M. 1947; and repealing Sections 50-406, 50-410 through 50-427, 50-435 through 50-465,

50-467, 50-469 through 50-475, 50-501 through 50-509, and 50-511 through 50-531, R.C.M. 1947; and providing an effective date." Referred to Committee on Natural Resources.

House Bill No. 1006, introduced by Bardanouve, Huennekens, Colberg, Baucus, R. Harper, Holmes, Swanberg, Fagg, Turman, Driscoll, Bradley, Kimble: A bill for an act entitled: "An act to create a State Geothermal Energy Administration Agency and Council for the purpose of exploration, development, production and distribution of geothermal energy in Montana." Referred to Committee on Natural Resources.

House Bill No. 1007, introduced by Bardanouve, Cox: A bill for an act entitled: "An act to establish an executive intern program; providing for administration by the Secretary of State; and providing an effective date." Referred to Committee on Education.

House Bill No. 1008, introduced by Bardanouve: A bill for an act entitled: "An act amending Section 79-310, R.C.M. 1947, to permit the Board of Investments to invest funds in building and loan associations and savings and loan associations." Referred to Committee on Business and Industry.

House Bill No. 1009, introduced by Bardanouve, Driscoll: A bill for an act entitled: "An act amending Section 70-803, R.C.M. 1947, to include the commencement of eminent domain proceedings within the meaning of 'commence to construct' in the Utility Siting Act; and providing an effective date." Referred to Committee on Natural Resources.

House Bill No. 1010, introduced by Bardanouve, Fagg, Driscoll, Huennekens, Shelden, Ainsworth, Turman, Haines, Yardley: A bill for an act entitled: "An act amending Sections 70-803, 70-806, and 70-807, R.C.M. 1947, to include the use of geothermal or other underground resources within the definition of 'utility facility'; and to include activities related to the possible future development of an underground utility facility within the meaning of 'commence to construct'." Referred to Committee on Natural Resources.

House Bill No. 1011, introduced by Cox, Bardanouve: A bill for an act entitled: "An act to codify the existence of the legislative intern program to be known as the 'Legislative Intern Act of 1974'; and providing an effective date." Referred to Committee on Education.

House Bill No. 1012, introduced by Menahan, Lynch, Mehrens, R. Harper: A bill for an act entitled: "An act to amend Sections 92-101, 92-102, 92-103, 92-116.1, 92-206, 92-208, 92-435, 92-614, 92-709.1, 92-806, 92-808, 92-1334, R.C.M. 1947; and to repeal Sections 92-1001 through 92-1012, R.C.M. 1947, eliminating Plan Two (2) from the Workmen's Compensation Act." Referred to Committee on Labor and Employment Relations.

House Bill No. 1013, introduced by Lynch, Quilici, Shelden, Lee, Lombardi, Baucus, Marbut, Mann, Mehrens, Healy, H. Harper, Kosena, Lucas: A bill for an act entitled: "An act authorizing the Department of Social and Rehabilitation Services to purchase sheltered employment services and/or work activity services for severely handicapped persons; authorizing the department to promulgate rules and regulations under this act; providing for the expenditure of funds for this purpose; and providing an effective date." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 1014, introduced by Bradley, Towe: A bill for an act entitled: "An act extending the definition of strip mining in the Strip Mining and Reclamation Act, amending Section 50-1036, R.C.M. 1947; and providing an effective date." Referred to Committee on Natural Resources.

House Bill No. 1015, introduced by East, Lien, Kolstad, Burnett, Schye, Haines, Walborn, Hubing, Smith, Clemow, Staigmiller, Ellerd: A bill for an act entitled: "An act amending Section 4-403, R.C.M. 1947, to provide that the Liquor Division of the Department of Revenue may use the population estimates of the Montana Department of Intergovernmental Relations, Planning and Economic Development Division as a basis for determining the quota for liquor licenses." Referred to Committee on Business and Industry.

House Bill No. 1016, introduced by Sheldon: A bill for an act entitled: "An act amending Section 69-5002, R.C.M. 1947, to re-define 'subdivision' to include only parcels of less than forty (40) acres in size; and providing that this act become effective on passage and approval." Referred to Committee on Natural Resources.

House Bill No. 1017, introduced by Sheldon, Huennekens, Fagg, Bardanoue, Brown, Schye: A bill for an act entitled: "An act amending Section 11-3861, R.C.M. 1947, to redefine 'subdivision' to include only parcels of less than 40 acres in size and to define other terms; amending Section 11-3862, R.C.M. 1947, to require that instruments conveying land identify the land by reference to recorded certificates of survey or subdivision plats, to prohibit the filing of nonconforming instruments, to require the surveying of irregular tracts of land, and to exempt certain divisions of land from regulation; amending Section 11-3863, R.C.M. 1947, to broaden the category of subdivisions eligible for summary review and approval; amending Section 11-3864, R.C.M. 1947, regarding dedication of land for parks and open space; amending Section 11-3865, R.C.M. 1947, to provide for review of title to land proposed for subdivision; amending Section 11-3867, R.C.M. 1947, to make final plat review by examining land surveyor discretionary with the governing body; and providing an effective date." Referred to Committee on Natural Resources.

House Bill No. 1018, introduced by Fagg, Bardanoue, Sheldon, Johnston, Holmes, Bennetts, Fasbender, Marbut, Bradley, Turman, Huennekens, Towe, Kosena, Kimble, Baucus, H. Harper, Hager: A bill for an act entitled: "An act prescribing policies and procedures for the selection, designation, planning and regulation of areas of critical concern; and providing an effective date." Referred to Committee on Natural Resources.

House Bill No. 1019, introduced by Greely, Turman, H. Harper, Kimble: A bill for an act entitled: "An act amending Section 75-6205, R.C.M. 1947, relating to awarding of creditable service for teachers serving in public office; relating to the rights and benefits of teachers who seek and serve in public office." Referred to Committee on Education.

House Bill No. 1020, introduced by Greely, Brand, Driscoll, Hager, Baucus, Turman, Regan, H. Harper: A bill for an act entitled: "An act amending Sections 11-3823, 16-3705, 23-4724, 26-109, and 31-105, R.C.M. 1947, to allow public officers and employees to participate in election campaigns, and to protect them from undue employer influence; and repealing Section 23-4739, R.C.M. 1947." Referred to Committee on Constitution, Elections and Federal Relations.

House Bill No. 1021, introduced by Lynch, Menahan, Mehrens, Quilici, Lee, Swanberg, R. Harper, Huennekens: A bill for an act entitled: "An act amending Section 92-615, R.C.M. 1947, relating to notice of denial of claim by insurer, and amending Section 92-616, R.C.M. 1947, relating to costs and attorney fees on claims found compensable, by deleting and adding certain requirements in the two sections; and providing for an effective date." Referred to Committee on Labor and Employment Relations.

House Bill No. 1022, introduced by Burnett, East, Kolstad, Aageson, Hageman, Staigmiller: A bill for an act entitled: "An act to amend Section 92-202.1, R.C.M. 1947, exempting certain agricultural employments and employment of members of family corporations from coverage under the Workmen's Compensation Act." Referred to Committee on Agriculture.

House Bill No. 1023, introduced by Towe, Huennekens: A bill for an act entitled: "An act providing for a tax of ten percent (10%) on all gross receipts realized by licensees from gambling; providing for keeping of records; providing penalties for violation of the act." Referred to Committee on Taxation.

House Bill No. 1024, introduced by Towe: A bill for an act entitled: An act entitled the Montana Privacy Act of 1974; to implement Article II, Section 10 of the new constitution; and repealing Sections 94-3203, 94-3320, 94-3321, 94-3323, 94-35-220, 94-35-274, 94-35-275, R.C.M. 1947." Referred to Committee on Judiciary.

House Bill No. 1025, introduced by Lien, Edland, Aageson, Gunderson, Hageman, Cotton, Holtz, Burnett, Schepens: A bill for an act entitled: "An act requiring automatic scale ticket printers and visible dials or other readable indicators on weighing devices for bulk commodities; and amending Section 90-182, R.C.M. 1947." Referred to Committee on Agriculture, Livestock and Irrigation.

House Bill No. 1026, introduced by Lucas, Schepens: A bill for an act entitled: "An act to amend Sections 40-4405 and 40-4415, R.C.M. 1947, relating to the notice requirements for cancellation of auto liability and fire insurance policies." Referred to Committee on Business and Industry.

House Bill No. 1027, introduced by Hager, Greely: A bill for an act entitled: "An act amending Section 93-701-4, R.C.M. 1947, to delete the marital privilege in criminal actions; and repealing Section 95-3011, R.C.M. 1947." Referred to Committee on Judiciary.

House Bill No. 1028, introduced by Baucus, Glennen, Towe, Holmes, Lucas: A bill for an act entitled: "An act to allow the regional board to retain all fees received for the treatment of patients under the community mental health services program and to rescind the requirement in Senate Bill No. 51, 1973 Session, providing for the deposit of forty percent (40%) of these fees in the general fund." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 1029, introduced by Fagg, Colberg, Brown, Huennekens, R. Harper, Bradley, Marbut, H. Harper: A bill for an act entitled: "An act restricting the authority of state and local government agencies to purchase automobiles consuming excessive gasoline." Referred to Committee on Business and Industry.

House Bill No. 1030, introduced by Fagg, Colberg, Huennekens, Towe, R. Harper, Marbut: A bill for an act entitled: "An act authorizing the Department of Intergovernmental Relations to reimburse a city up to half the operating deficit of a public transportation system, and declaring such expenditure to be for highway purposes." Referred to Committee on Highways and Transportation.

House Bill No. 1031, introduced by Fagg, Colberg, Huennekens, Towe, R. Harper, Bradley, Marbut, H. Harper: A bill for an act entitled: "An act imposing a tax on illuminated signs which varies with the intensity of the illumination." Referred to Committee on Taxation.

House Bill No. 1032, introduced by McKittrick, Regan, Marbut: A bill for an act entitled: "An act recognizing collective bargaining rights in the professional educational employees of the University System and community colleges." Referred to Committee on Labor and Employment Relations.

House Bill No. 1033, introduced by Towe, Lynch, Quilici, Menahan, Seifert: A bill for an act entitled: "An act amending Section 67-2101, R.C.M. 1947, extending coverage to include the sale of subdivided land inside the state and to increase the size of lot covered from five (5) acres to less than ten (10) acres; amending Section 67-2103, R.C.M. 1947, to conform it to Section 67-2103, R.C.M. 1947, as amended; amending Section 67-2110, R.C.M. 1947, to require that a public offering statement be furnished by the purchaser before or at the time of purchase and deleting the bonding requirement; amending Section 67-2115, R.C.M. 1947, to allow the purchaser to void his contract and to provide for recovery of damages where purchaser has suffered damage because of untrue or incorrect information in public offering statement; amending Section 67-2116, R.C.M. 1947, to provide for coverage of sale or offers for sale inside the state; amending Section 67-2124, R.C.M. 1947, to reduce bonding requirements from ten thousand dollars (\$10,000) to one thousand dollars (\$1,000) and substitute the word 'transaction' for 'occurrence'." Referred to Committee on Natural Resources.

House Bill No. 1034, introduced by Barrett, Asbjornson, Kosena, Aageson, Johnston, Gunderson: A bill for an act entitled: "An act to amend Sections 75-5811 and 75-6104, R.C.M. 1947, to allow a county superintendent of schools to appoint a hearing officer to hear cases relating to the dismissal of teachers under contract and the termination of tenure teachers; and providing for appeals." Referred to Committee on Education.

House Bill No. 1035, introduced by Fasbender, McKittrick: A bill for an act entitled: "An act requiring that all legally performed abortions in this state be reported to the Department of Health and Environmental Sciences." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 1036, introduced by Selstad, Manuel, Kessner, Burnett: A bill for an act entitled: "An act limiting legislators to introducing no more than three

(3) bills per session, exclusive of appropriation bills and bills which have at least ten (10) co-sponsors." Referred to Committee on Rules.

House Bill No. 1037, introduced by Seifert, Selstad: A bill for an act entitled: "An act amending Section 11-3859, R.C.M. 1947, to clarify the title; amending Section 11-3860, R.C.M. 1947, to delimit the purpose of the act and limit its scope to platting and describing parcels of surveyed land; Section 11-3861, R.C.M. 1947, to redefine "preliminary plat" and "subdivision" and to delete "examining land surveyor" from definitions; amending section 11-3862, R.C.M. 1947, to clarify and delimit the scope of survey requirements, provide for additional exemptions and delete certain other exemptions, provide in the act for monumentation and form for surveys; amending Section 11-3863, R.C.M. 1947, to broaden the category of subdivisions for summary review and approval and delete provisions covered by other state laws; amending Section 11-3864, R.C.M. 1947, regarding dedication of land for parks and open space; amending section 11-3865, R.C.M. 1947, to provide for acceptance of abstract with attorney opinion, title report and involving dedicated land and to provide for review of these documents; amending section 11-3866, R.C.M. 1947, to fix the responsibility for review of plats by governing body; amending Section 11-3867, R.C.M. 1947, regarding review of plats and deleting the authority of the clerk and recorder to refuse to accept plats for recording; amending Section 11-3869, R.C.M. 1947, to provide for enforcement of covenants by county attorney; and amending Section 11-3876, R.C.M. 1947, extending its coverage to encompass covenants and provide for enforcement of the act by the county attorney." Referred to Committee on Natural Resources.

House Bill No. 1038, introduced by Bradley: A bill for an act entitled: "An act adding to the duties of the Attorney General, the obligation to oversee jails and prisons; and amending Section 82-401, R.C.M. 1947." Referred to Committee on Judiciary.

House Bill No. 1039, Baucus, Turman, Haines, Bradley, Watt, Murphy, Towe: A bill for an act entitled: "An act to create a Montana work-study program to be administered by the Board of Regents of Higher Education." Referred to Committee on Education.

House Bill No. 1040, introduced by McKittrick, Menahan, Turman: A bill for an act entitled: "An act amending Sections 92-413, 92-704.1, and 92-708, R.C.M. 1947, relating to the definition of beneficiary, compensation for injury causing death, and manner of payment compensation, all under the Workman's Compensation Act, by adding to the beneficiary definition dependent parents, brothers and sisters; providing certain death benefits to dependent parents, brothers and sisters; providing for equitable distribution to dependent parents, brothers and sisters; and granting a nondependent parent award of three thousand dollars (\$3,000)." Referred to Committee on Labor and Employment Relations.

House Bill No. 1041, introduced by, Swanby, Greely: A bill for an act entitled: "An act to designate the Legislative Auditor as a bank examiner pursuant to federal statutes." Referred to Committee on State Administration.

House Bill No. 1042, introduced by Huennekens, Driscoll, Fagg, Towe: A bill for an act entitled: "An act amending Section 84-437.2, R.C.M. 1947, the Green Belt Act; increasing the kinds of agricultural crops covered, allowing home-consumed agricultural products to be counted toward farm income and removing the requirement of annual application for agricultural application." Referred to Committee on Agriculture, Livestock and Irrigation.

House Bill No. 1043, introduced by Huennekens, R. Harper: A bill for an act entitled: "An act to control and regulate the practice of charging fees for hunting and fishing rights." Referred to Committee on Fish and Game.

House Bill No. 1044, introduced by Huennekens: A bill for an act entitled: "An act amending Section 53-1025, R.C.M. 1947; increasing the license fee for snowmobiles from two dollars (\$2) to four dollars (\$4)." Referred to Committee on Highways and Transportation.

House Bill No. 1045, introduced by Huennekens: A bill for an act entitled: "An act to amend Section 26-202.1, R.C.M. 1947, raising license fees for nonresident hunters; limiting the number of nonresident hunter's licenses allowed; and provid-

ing for a ten dollar (\$10) resident mountain sheep license in certain cases." Referred to Committee on Fish and Game.

House Bill No. 1046, introduced by Baucus: A bill for an act entitled: "An act appropriating money to the Department of Health and Environmental Sciences for the regulation of sanitation in subdivisions." Referred to Committee on Finance and Claims.

House Bill No. 1047, introduced by Bradley, Driscoll, Towe, Norman, Hall, Turman, Marbut, Fagg: A bill for an act entitled: "An act providing the Public Service Commission authority and the duty to encourage energy conservation through revisions of utility rate classifications; directing the commission to revise such rates; amending Section 70-115, R.C.M. 1947; and providing an effective date." Referred to Committee on Business and Industry.

House Bill No. 1048, introduced by Hall: A bill for an act entitled: "An act to amend Section 11-1832, R.C.M. 1947, raising the minimum wage of police in first and second class cities." Referred to Committee on Local Government.

House Bill No. 1049, introduced by Hall: A bill for an act entitled: "An act amending Section 91-807, R.C.M. 1947, by providing that copies of the notice of the time appointed for the probate of the will be mailed to all named beneficiaries." Referred to Committee on Judiciary.

House Bill No. 1050, introduced by Hall: A bill for an act entitled: "An act to provide for cities of the first and second class and for other cities electing to come within the provisions hereof a statewide police reserve fund and program; transferring as to such cities to the Department of Administration police reserve funds and the administration and investment thereof; providing for the abolition of the functions of boards of trustees of police reserve funds of such cities and for the transfer of their functions to the Department of Administration and, as to quasi-judicial functions, to the Board of Retirement; providing the means to fund the reserve officers program; providing for the qualification of police officers eligible for the reserve list and the payment thereof; providing for the payment of benefits upon death of a police officer; providing for the exemption of payments from attachment and other operations of legal process; amending Sections 11-1814, 11-1823, 11-1825, 11-1826, 11-1832, and 11-1836, R.C.M. 1947; and repealing Sections 11-1818, 11-1820 and 11-1821, R.C.M. 1947." Referred to Committee on Local Government.

House Bill No. 1051, introduced by Warfield, Forsgren: A bill for an act entitled: "An act revising the method of calculating the 'average number belonging' or 'ANB' or a school district, and amending Section 75-6902, R.C.M. 1947." Referred to Committee on Education.

House Bill No. 1052, introduced by Warfield, Barrett, Prevost, Edland: A bill for an act entitled: "An act providing for variances in kindergarten programs if approved by the Superintendent of Public Instruction; providing that such program will compute the average number belonging in a manner prescribed by the Superintendent of Public Instruction within a certain limit; and amending Sections 75-6902, 75-7402, and 75-7403, R.C.M. 1947." Referred to Committee on Education.

House Bill No. 1053, introduced by Fagg, Zimmer, Asbjornson, Lee: A bill for an act entitled: "An act creating a Board of Sanitarians; regulating and licensing sanitarians; providing a penalty; and repealing Section 69-3401 through 69-3409, R.C.M. 1947." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 1054, introduced by Lucas, Tierney, Kendall, Burnett, Lien, Brand, Swanberg: A bill for an act entitled: "An act amending Section 11-1602, R.C.M. 1947, to give police courts jurisdiction over misdemeanors committed within the limits of cities and towns." Referred to Committee on Judiciary.

House Bill No. 1055, introduced by Turner: A bill for an act entitled: "An act amending Sections 84-202 and 84-301, R.C.M. 1947, to remove the exemption from property taxation for all perishable fruits and vegetables in farm storage." Referred to Committee on Taxation.

House Bill No. 1056 introduced by Lucas, Tierney, Swanberg, Cox, Bell,

McKittrick, Turman, Hall, Yardley, Rolfe: A bill for an act entitled: "An act to amend Section 79-310, R.C.M. 1947, requiring investments by the State Board of Investments to be made only through institutions, corporations or persons licensed to do business in the State of Montana." Referred to Committee on Business and Industry.

House Bill No. 1057, introduced by Kimble, Norman, Baucus, Turman, Ainsworth, Marbut: A bill for an act entitled: "An act amending Section 16-2726, R.C.M. 1947, to allow all counties the option of setting up a Department of Public Safety." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 1058, introduced by Baucus, Barrett, Glennen, Bennetts, Turman, Lynch, Marbut: A bill for an act entitled: "An act to require the Department of Administration and municipalities to adopt a state building code for energy conservation; amending Sections 69-2105, 65-2109, 69-2110, 69-2111 and 69-2114; and providing for an effective date." Referred to Committee on State Administration.

House Bill No. 1059, introduced by Burnett, Flynn: A bill for an act entitled: "An act providing that national guardsmen who are called out to perform duties also being performed by civilians shall be paid at the same rate as civilians if the civilian pay is higher, with the difference to be paid by the agency requesting the aid of the National Guard." Referred to Committee on Labor and Employment Relations.

House Bill No. 1060, introduced by Yardley: A bill for an act entitled: "An act amending Section 54-133, R.C.M. 1947, to clarify the penalties for possession of dangerous drugs." Referred to Committee on Judiciary.

House Bill No. 1061, introduced by Towe: A bill for an act entitled: "An act establishing competitive selection procedures for firms and persons providing professional services to agencies of the state and local governments and school districts; prohibiting the payment of contingent fees for professional service contracts; and providing penalties." Referred to Committee on Business and Industry.

House Bill No. 1062, introduced by Towe, R. Harper, Lynch, Lee, Lombardi, Mehrens, Shelden, Bradley, Healy, Driscoll, Tierney, Murphy: A bill for an act entitled: "An act amending Section 40-3520, R.C.M. 1947; providing automobile insurance is an exception to the fictitious group provision." Referred to Committee on Business and Industry.

House Bill No. 1063, introduced by Towe, R. Harper, Huennekens, Murphy, Gunderson: A bill for an act entitled: "An act providing the right of the people in a local county or district to form public utility districts by election and with local autonomy in district affairs; providing for formation, organization, powers, financing, consolidation of public utility districts; providing for local election of commissioners for administration of districts, appointment of qualified managers; providing for development on a district wide basis to benefit all inhabitants, rural and urban, and establishment of rates on a uniform and non-discriminatory basis; providing for payment of taxes to local and state governments, and schools; providing for placement of service above profit in utility services; providing for conservation of power resources of the State of Montana for benefit of the people thereof; providing for severability, rule of construction, repealing conflicting acts; and providing an effective date." Referred to Committee on Business and Industry.

House Bill No. 1064, introduced by Baucus, Roberts, Barrett, Bennetts, Murphy, Lynch, Mehrens, Quilici, Hageman, Bradley: A bill for an act entitled: "An act amending Section 70-113, R.C.M. 1947, to require the Public Service Commission to hold hearings on proposed changes in schedules when there are adverse parties, and to render decisions in such contested cases in conformity with the Administrative Procedure Act." Referred to Committee on Business and Industry.

House Bill No. 1065, introduced by Baucus, Roberts, Bennetts, Edland, Prevost, Lynch, Marbut, Holmes, Mehrens, Hageman, Murphy, Bradley: A bill for an act entitled: "An act amending Section 70-128, R.C.M. 1947, to allow an appeal from a decision of the Public Service Commission on the grounds that such decision is arbitrary or capricious and to extend the rights of pretrial discovery relative to this issue." Referred to Committee on Business and Industry.

House Bill No. 1066, introduced by Baucus, Norman, Turman, Murphy, Lynch, Marbut: A bill for an act entitled: "An act amending Sections 80-1602 and 80-1603, R.C.M. 1947, providing that capital outlay be included in per diem charges assessed against residents, or responsible persons, of certain state institutions and that residents, or responsible persons, be assessed for identifiable, direct, patient service expenses." Referred to Committee on State Administration.

House Bill No. 1067, introduced by Edland, Bennetts, Bradley, R. Harper, Kimble, Towe: A bill for an act entitled: "An act to authorize probation officers for both adult and juvenile offenders to establish and join professional associations and to pay for membership in such associations with money from the general fund, in the case of adult probation officers and county funds in the case of juvenile probation officers." Referred to Committee on Judiciary.

House Bill No. 1068, introduced by Edland, Olson, Lee: A bill for an act entitled: "An act to amend Section 66-1508, R.C.M. 1947, to provide for a late renewal fee for certified pharmacy licenses." Referred to Committee on Business and Industry.

House Bill No. 1069, introduced by Edland, Baucus, Fagg, Murphy, R. Harper, Quilici: A bill for an act entitled: "An act to require licensees conducting horse race meetings to pay to the Department of Professional and Occupational Licensing for deposit in the earmarked revenue fund of the Board of Horse Racing all unclaimed funds within thirty (30) days of the close of the meeting; and providing for an effective date." Referred to Committee on Business and Industry.

House Bill No. 1070, introduced by Burnett, Kolstad: A bill for an act entitled: "An act amending Sections 84-437.2 and 84-437.3, R.C.M. 1947, to modify the qualifications for determining whether land is being devoted to agricultural use; to abolish the need for annual application for agricultural valuation, assessment and taxation of land devoted to agricultural use; to abolish the requirement for the initial application for agricultural valuation, assessment, and taxation on land that was so valued, assessed and taxed prior to July 1, 1973; to provide a refund for all late application penalties collected under Subsection (4)(a) of Section 84-437.2, R.C.M. 1947, as it was before these amendments." Referred to Committee on Agriculture.

House Bill No. 1071, introduced by Hall: A bill for an act entitled: "An act to provide for the appointment of the members of the Public Service Commission by the Governor with the consent of the Senate; providing for the filling of vacancies; providing for the terms of members; providing qualifications for members; providing for the continuance of current members; providing for a salary for members; and amending Sections 72-101, 82A-1702, and 25-501, R.C.M. 1947." Referred to Committee on Business and Industry.

House Bill No. 1072, introduced by Brown (by request): A bill for an act entitled: "An act to amend Section 23-3304, R.C.M. 1947, of the election laws pertaining to primary election filing fees by making the filing fee uniform for offices having a salary of more than \$1,000 per annum." Referred to Committee on Constitution, Election and Federal Relations.

House Bill No. 1073, introduced by Greely, Lucas, Tierney, Baucus, Stephens: A bill for an act entitled: "An act amending Sections 52-402, 52-403 and 52-404, R.C.M. 1947, to permit the use of trust indentures for areas of real estate of not more than forty acres." Referred to Committee on Business and Industry.

House Bill No. 1074, introduced by Holtz: A bill for an act entitled: "An act amending Section 66-802, R.C.M. 1947, and clarifying definition of cosmetology." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 1075, introduced by H. Harper: A bill for an act entitled: "An act amending Section 54-316, R.C.M. 1947, by requiring the Board of Pharmacists to waive the requirement for registration of certain practitioners to dispense dangerous drugs." Referred to Committee on Public Health, Welfare and Safety.

House Bill No. 1076, introduced by Towe: A bill for an act entitled: "An act to authorize citizens to complain to certain state agencies about environmental degradation and, failing to receive action within one hundred eighty (180) days, to maintain an action in court." Referred to Committee on Natural Resources.

House Bill No. 1077, introduced by Towe: A bill for an act entitled: "An act requiring Mexican-American studies to be part of the educational background of public school teaching personnel employed in any school serving an area containing fifteen percent (15%) or more Mexican-Americans in the total population and encouraging Mexican-American studies as part of the educational background of other school personnel employed in the state." Referred to Committee on Education.

House Bill No. 1078, introduced by Murphy (by request): A bill for an act entitled: "An act providing for a trial by jury in district court for workmen's compensation appeals; amending Section 92-834, R.C.M. 1947." Referred to Committee on Judiciary.

House Bill No. 1079, introduced by Kimble, Baucus, Haines, Turman, Ainsworth, Marbut, R. Harper, Fleming, Gunderson: A bill for an act entitled: "An act to establish a special permit for the sale of liquor by units of the Montana University System." Referred to Committee on Business and Industry.

House Bill No. 1080, introduced by Baucus, Mehrens, Kosena, Lynch, Brand, Kendall, Barrett, Glennen, R. Harper, Quilici: A bill for an act entitled: "An act providing for additional punishment for persons convicted of a felony the perpetration of which involved the use of a firearm." Referred to Committee on Judiciary.

House Bill No. 1081, introduced by Driscoll, Brand: A bill for an act entitled: "An act to allow a taxpayer a limited deduction from adjusted gross income for political contributions." Referred to Committee on Taxation.

House Bill No. 1082, introduced by Hager, Towe, Fagg, Glennen, Cox, Mercer, Huennekens, Holmes: A bill for an act entitled: "An act to provide a graduated scale for store license fees paid by retail chain stores; amending Section 84-2405." Referred to Committee on Business and Industry.

House Bill No. 1083, introduced by Murphy: A bill for an act entitled: "An act authorizing boards of county commissioners to expend funds for the support of county bicentennial committees; providing for an effective date; and providing for an automatic repeal." Referred to Committee on Local Government.

House Bill No. 1084, introduced by Yardley: A bill for an act entitled: "An act amending Section 84-4903.1, R.C.M. 1947, to provide that an employer engaged in motion picture production, television production or television commercial production is not required to withhold Montana income tax from the wages or salary of an employee who is not a Montana resident and who is employed in Montana for less than 60 days in any calendar year." Referred to Committee on Labor and Employment.

House Bill No. 1085, introduced by Healy, Bell, Lee, Lombardi, R. Harper, McKittrick, Quilici, Lynch: A bill for an act entitled: "An act providing a preliminary inquiry for prisoners accused of violating the conditions of parole or conditional release; amending Section 94-9838, R.C.M. 1947, to make the preliminary inquiry a condition precedent to returning prisoners to the actual custody of the Board of Pardons pending a revocation hearing." Referred to Committee on Judiciary.

House Bill No. 1086, introduced by Healy, Bell, Lee, Quilici, R. Harper, McKittrick, Swanberg, Lombardi, Lynch: A bill for an act entitled: "An act amending Sections 95-2217 and 95-2219, R.C.M. 1947, to raise the minimum wage for prisoners in the work furlough program; Section 95-2221, R.C.M. 1947, to facilitate the screening procedures for prisoners applying for work furlough; and Section 95-2226, R.C.M. 1947, to more clearly define the supervisory responsibilities of the Board of Pardons and the county sheriffs over work furlough prisoners; to prevent such prisoners from associating with other county jail inmates; to give such prisoners a preliminary inquiry if they are accused of violating the rules and regulations of the work furlough program; and to clarify the procedures to be followed in the event such prisoners fail to obtain employment, become disabled, or do not favorably respond to an education furlough." Referred to Committee on Labor and Employment.

House Bill No. 1087, introduced by Tierney, Lynch, Driscoll, Roberts, Quilici, Menahan: A bill for an act entitled: "An act to establish bail bond requirements

for traffic offenses not involving personal or property damage committed by a resident of the State of Montana." Referred to Committee on Highways.

House Bill No. 1088, introduced by Mehrens, Kosena, Menahan, R. Harper, Lombardi, Lynch, Lee, Healy, Swanberg, Fasbender, Huennekens, Quilici, Kendall, Sheldon, Asbjornson, Fleming, McKittrick, Hall, Campbell, H. Harper, Castles, Barrett: A bill for an act entitled: "An act to amend Section 71-222, R.C.M. 1947, to provide for the reduction of millage taxes to be levied." Referred to Committee on Taxation.

House Bill No. 1089, introduced by McKittrick, Turman, Kosena: A bill for an act entitled: "An act to amend Section 68-1602 to provide an exemption to the exclusion from the retirement system for persons who are members of any other retirement or pension system." Referred to Committee on Business and Industry.

House Bill No. 1090, introduced by Bennetts, Norman, McKittrick: A bill for an act entitled: "A bill to amend Section 31-127 changing the provisions thereof, and limiting inquiries on application for driving permits to a period of twelve months, prior to date of application." Referred to Committee on Highways.

House Bill No. 1091, introduced by Bennetts, McKittrick: A bill for an act entitled: "An act to prohibit inquiries by state, county, and municipal licensing and employing agencies and private employers from making inquiries of applicants as to their past medical histories prior to a period of eighteen months (18) from date of application, and allowing the option of requiring both physical and/or mental examination to the licensing or employing entity." Referred to Committee on Labor and Employment.

House Bill No. 1092, introduced by Bennetts: A bill for an act entitled: "A bill to amend Section 59-510 so as to re-define the times in which public offices must be kept open." Referred to Committee on State Administration.

House Bill No. 1093, introduced by Burnett, East, Manuel: A bill for an act entitled: "An act to exempt household and domestic servants or those employed in farming, dairying, agricultural, viticultural, and horticultural, stock or poultry raising, or persons whose employment is of a casual nature; and repealing Section 92-202.1, R.C.M. 1947." Referred to Committee on Labor and Employment.

House Bill No. 1094, introduced by Glennen: A bill for an act entitled: "An act amending Section 16-1904 by changing from 5% to 7%, the amount by which a county budget appropriation can exceed the immediately preceding county budget appropriation." Referred to Committee on Local Government.

House Bill No. 1095, introduced by Baucus, Turman, Lynch: A bill for an act entitled: "An act amending Section 41-701, R.C.M. 1947, by providing conditions when the contract cost of a contract awarded under this section shall be reduced and providing for repayment of excess money of contract price to contracting authority." Referred to Committee on Labor and Employment.

House Bill No. 1096, introduced by Lombardi (by request): A bill for an act entitled: "An act to limit the salaries of county attorneys." Referred to Committee on Local Government.

House Bill No. 1097, introduced by Fagg, Jones, Kolstad, Schye, Hager, Mercer, Glennen, Gunderson, Fleming, Holmes, Stoltz, R. Harper, Lombardi, Stephens: A bill for an act entitled: "An act to revise, consolidate and classify the laws relating to the insurance and surety business; to regulate the incorporation or formation of domestic insurance and surety companies and associations and the admission of foreign and alien companies and associations; to provide their rights, powers and immunities and to prescribe the conditions on which companies and associations organized, existing, or authorized under this act may exercise their powers; to provide the rights, powers and immunities and to prescribe the conditions on which other persons, firms, corporations and associations engaged in an insurance or surety business may exercise their powers; to provide for the imposition of a privilege fee on domestic insurance companies and associations and the state accident fund; to provide for the imposition of a tax on the business of foreign and alien companies and associations; to provide for the imposition of a tax on the business of surplus line agents; to modify tort liability arising out of certain accidents;

to require security for losses arising out of certain accidents; to provide for the departmental supervision and regulation of the insurance and surety business within this state; and to provide penalties for the violation of this act: amending Section 32-1208, R.C.M. 1947; repealing Sections 40-4403 and 53-418 through 53-458, R.C.M. 1947." Referred to Committee on Judiciary.

House Bill No. 1098, introduced by Lee, Lynch, Quilici, Mehrens, Lombardi, Healy, Menahan, Kosena, Baucus, R. Harper, Fagg, Turman, Murphy: A bill for an act entitled: "An act amending Section 11-710, R.C.M. 1947, relating to the qualification of mayor, by lowering the age of eligibility from twenty-five (25) years to twenty-one (21) years." Referred to Committee on Constitution, Elections and Federal Relations.

House Bill No. 1099, introduced by Lee, Quilici, Lynch, Mehrens, Menahan, Lombardi, Driscoll, Healy, Fasbender, Greely: A bill for an act entitled: "An act amending Sections 92-701.1, 92-702.1, and 92-704.1, R.C.M. 1947, relating to the payment of workmen's compensation benefits for temporary total disability, total permanent disability, and death, by deleting provisions allowing workmen's compensation insurers to reduce workmen's compensation payments by the amount of federal periodic benefits paid to a claimant." Referred to Committee on Labor and Employment.

House Bill No. 1100, introduced by Greely, Swanberg, Fagg, Fasbender, Ainsworth, Ulmer, Turman, Fleming, Warfield, Prevost, Baucus, Towe: A bill for an act entitled: "An act relating to the retail sale of wine, providing for licensing of retailers and sale of wine to retailers." Referred to Committee on Business and Industry.

House Bill No. 1101, introduced by Schepens, Brown: A bill for an act entitled: "An act revising the list of public uses for which the right of eminent domain may be exercised, and amending Section 93-9902, R.C.M. 1947." Referred to Committee on Natural Resources.

House Bill No. 1102, introduced by Rolfe: A bill for an act entitled: "An act providing compensation for victims of crime." Referred to Committee on Judiciary.

House Joint Resolution No. 56, introduced by Warfield, Kolstad, Rolfe, Galt, Murphy, Barrett, Kvaalen, Johnston, Gunderson, Baeth, Brand, Tierney, Lundgren, Stoltz, Cox, Edland, Aageson, Hubing, Lockrem: A Joint Resolution of the Senate and the House of Representatives of the State of Montana urging Congress to rescind the daylight savings time law and requesting the department of transportation to exempt Montana from daylight savings time. Referred to Committee on Constitutions, Elections, and Federal Relations.

House Joint Resolution No. 57, introduced by Bennetts, H. Harper, Castles, Murphy, Baucus, R. Harper, Edland, Campbell, Clemow, Jones, Marks, Watt, Laas, Bradley, Lynch, Stoltz, Halvorson, Fagg, Quilici, Tierney, Cotton, Lien, Jacobsen, Norman, Staigmillier: A Joint Resolution of the Senate and the House of Representatives of the State of Montana to preserve the historical site of Marysville, Montana. Referred to Committee on Natural Resources.

House Joint Resolution No. 58, introduced by Kosena: A Joint Resolution of the Senate and the House of Representatives of the State of Montana directing the Board of Natural Resources and Conservation to abandon the Daly Ditch Irrigation Project. Referred to Committee on Natural Resources.

House Joint Resolution No. 59, introduced by Holmes, Gunderson, Regan, Stoltz, R. Harper, Baucus, Towe, Kimble, Bennetts: A Joint Resolution of the Senate and the House of Representatives of the State of Montana instructing the Board of Public Education and the Board of Regents of Higher Education to devise a master plan for enriching the teacher training process in the area of ethnic studies. Referred to Committee on Education.

House Joint Resolution No. 60, introduced by Holmes, Gunderson, Regan, Towe, Bennetts, Lund, Marks, Fagg, Huennekens, Kimble: A Joint Resolution of the Senate and the House of Representatives of the State of Montana instructing the Board of Public Education and the Board of Higher Education to devise a master plan for enriching the background of all public school teachers in American Indian culture. Referred to committee on education.

House Joint Resolution No. 61, introduced by Burnett, Kolstad, Turner, Ageson, Stephens, Quilici, Holtz: A Joint Resolution of the Senate and the House of Representatives of the State of Montana requesting the committee on priorities to assign a study to the appropriate standing committee concerning the problem of equitably funding programs imposed on local government agencies by the federal government, the state legislature, any other state agency, or the courts, and to have it report its findings, recommendations, and draft legislation to the 1975 session of the legislature. Referred to Committee on Local Government.

House Joint Resolution No. 62, introduced by Baucus, Bennetts, Regan, Driscoll: A Joint Resolution of the Senate and the House of Representatives of the State of Montana directing select committees of the Senate and House of Representatives to study the existing laws of the State of Montana in order to determine what changes should be made in these laws in order to achieve the equality of the sexes under the laws of Montana, and to report their findings and their proposals for changes in the law to the 1975 session of the Forty-fourth Montana Legislature. Referred to Committee on Constitutions, Elections and Federal Relations.

House Joint Resolution No. 63, introduced by Lien, Jacobsen, Stephens: A Joint Resolution of the Senate and the House of Representatives of the State of Montana urging the United States Department of the Interior to consider alternate ways of marking abandoned oil and gas wells. Referred to Committee on Business and Industry.

House Joint Resolution No. 64, introduced by Kosena, Bardanouve, Menahan, Mehrens, Brand, Schepens, Lee, Quilici, Lynch, Baeth, Flynn, Marbut, Kendall, Shelden, Prevost, Driscoll, Fasbender, Stoltz, Johnston, Stephens, Regan, Huennekens, R. Harper, Asbjornson, Cox, Mercer, Hager, Turman, Towe, Seifert, Haines, Mann, Ainsworth, Fagg, Galt, Ellerd, Lockrem, Kvaalen, Glennen, Warfield, Rolfe, Healy: A Joint Resolution of the Senate and the House of Representatives of the State of Montana authorizing a referendum of the elementary school children of Montana to designate an official state insect. Referred to Committee on Education.

House Joint Resolution No. 65, introduced by Rolfe, Lien, Kolstad, Lucas, Quilici, Forsgren: A Joint Resolution of the Senate and the House of Representatives of the State of Montana requesting the federal government to postpone further automobile air pollution standards; to consider reducing automobile pollution control equipment as an alternative to a fifty-five (55) mile per hour speed limit; and encouraging the citizens of Montana to make mechanical modifications on their motor vehicles which will result in better gasoline mileage. Referred to Committee on Public Health.

House Joint Resolution No. 66, introduced by Huennekens, Towe, Marbut: A Joint Resolution of the Senate and the House of Representatives of the State of Montana requesting that the governor appoint a blue ribbon committee to study the future direction, scope, and financial requirements in the field of mental services that the State of Montana provides, and should provide, to the citizens of the state. Referred to Committee on Public Health.

House Joint Resolution No. 67, introduced by Marbut, Driscoll: A Joint Resolution of the Senate and the House of Representatives of the State of Montana requesting the committee on priorities to assign a study concerning coordinating and providing child development programs to the appropriate standing committee and to have it report its findings and recommendations to the first regular session of the Forty-fourth Legislature. Referred to Committee on Public Health.

House Joint Resolution No. 68, introduced by Menahan, Quilici, Lee, Mehrens, Lombardi, Healy, Kosena, Huennekens, Lynch: A Joint Resolution of the Senate and the House of Representatives of the State of Montana urging more vigorous enforcement of federal policies guaranteeing the right to hunt on lands leased by the Bureau of Land Management. Referred to Committee on Fish and Game.

House Joint Resolution No. 69, introduced by Greely: A Joint Resolution of the Senate and the House of Representatives of the State of Montana repealing rule 2-3.34(10)-S3450 of the Montana Administrative Code, concerning limitation of political activities, and providing an effective date. Referred to Committee on Constitutions, Elections and Federal Relations.

House Joint Resolution No. 70, introduced by Baucus, Towe: A Joint Resolution of the Senate and the House of Representatives of the State of Montana directing the Governor to appoint a special commission to examine the economic growth in and upon Montana, to evaluate such growth and to establish goals taking into consideration all aspects of Montana's environment, and to make recommendations on how the state can best attain these goals. Referred to Committee on Business and Industry.

House Joint Resolution No. 71, introduced by Regan: A Joint Resolution of the Senate and the House of Representatives of the State of Montana amending Joint Rule 7-8 to require a sanction if one house refuses or fails to appoint a conference committee. Referred to Committee on Rules.

House Joint Resolution No. 72, introduced by Regan, Castles, Halvorson, Holmes, Bradley, Stoltz, Bennetts, Greely, McKittrick, Murphy, Lass, Baucus, Cotton, Barrett, Hodges, Gunderson, Towe, Huennekens, Fasbender, Yardley, Stephens, Manuel, Johnston, Shelden, Kendall, Schepens, Driscoll, Bardanouve, Jones, Hager, Watt, Turman, H. Harper, R. Harper, Kimble, Clemow: A Joint Resolution of the Senate and the House of Representatives of the State of Montana ratifying the proposed amendment to the constitution of the United States relating to equal rights on account of sex. Referred to Committee on Constitutions, Elections and Federal Relations.

House Joint Resolution No. 73, introduced by Brown, Swanberg, Bradley, Greely, Hager, Driscoll, McKittrick, Warfield: A Joint Resolution of the Senate and the House of Representatives of the State of Montana calling for thorough economic analysis in environmental impact statements and directing the environmental quality council to elicit such analysis from state agencies. Referred to Committee on Natural Resources.

House Joint Resolution No. 74, introduced by Kimble, Towe, Stoltz, Bennetts, R. Harper, Huennekens, Holmes, Lien, Murphy: A Joint Resolution of the Senate and House of Representatives of the State of Montana directing the Congress of the United States to withdraw favored trade status from the Soviet Union if the Soviet government takes any future action against Alexander I. Solzhenitsyn. Referred to Committee on Constitutions, Elections and Federal Relations.

House Joint Resolution No. 75, introduced by Stephens, Gunderson, Manuel, Johnston, Stoltz, Hager, Fasbender, Fleming, R. Harper, Ageson, Lien, Halvorson, Kimble, Jacobsen, Burnett, Clemow, Smith, Fagg, Murphy, Galt, Hageman, Edland, Lynch: A Joint Resolution of the Senate and the House of Representatives of the State of Montana requesting the Department of Agriculture, Livestock, and Administration to prepare a construction project request for a proposed new Agriculture-Livestock building. Referred to Committee on Long Range Building.

House Joint Resolution No. 76, introduced by R. Harper, Lynch, Johnston, Edland, Stephens, Murphy, Bennetts, Towe, McKittrick, Fleming, Stoltz, Clemow, H. Harper, Bradley, Baucus, Shelden, Brown, Manuel, Holmes, Gunderson, Swanberg, Hodges, Staigmilller, Huennekens, Driscoll, Marbut, Fagg, Kimble: A Joint Resolution of the Senate and the House of Representatives of the State of Montana calling for a task force to study and develop consumer education programs for Montana schools. Referred to Committee on Education.

House Joint Resolution No. 77, introduced by Kosena, Bardanouve, Driscoll: A Joint Resolution of the Senate and the House of Representatives of the State of Montana requesting the Priorities Committee to designate an appropriate standing subcommittee to make a comprehensive study of Montana's fire protection laws. Referred to Committee on Local Government.

House Joint Resolution No. 78, introduced by Driscoll, Bardanouve, Kosena: A Joint Resolution of the Senate and the House of Representatives of the State of Montana requesting the Priorities Committee to designate an appropriate standing subcommittee to make a comprehensive study of Montana's timber taxation structure. Referred to Committee on Taxation.

House Joint Resolution No. 79, introduced by Ellerd, Galt, Kolstad, Smith: A Joint Resolution of the House of Representatives and the Senate of the State of Montana requesting the Montana Congressional Delegation to streamline the fed-

eral laws relating to the marketing of livestock. Referred to Committee on Agriculture, Livestock and Irrigation.

House Joint Resolution No. 80, introduced by McKittrick, Fasbender, Mehrens, Bell, Brown: A Joint Resolution of the Senate and the House of Representatives of the State of Montana requesting the Governor of Montana to appoint a committee to study the operation, objectives and financing of inter-school activities in Montana. Referred to Committee on Education.

SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)

Fasbender moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading under the rules of the previous sitting.

Motion carried.

Cox in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

January 18, 1974

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That House Bill No. 421 do pass. (86-0)

That House Bill No. 631 do pass. (84-0)

That House Bill No. 645 do pass. (79-0)

That House Bill No. 670 be amended in the title on page 1, line 7 of the introduced bill, being page 1, line 7 of the second reading bill, after the word "employees" by inserting the following material: "and certain employees of elected officials" (83-0), and

Be further amended in Section 1, page 1, line 16 of the introduced bill, being page 1, line 16 of the second reading bill, after the word "officials" by deleting the following material: ", and certain employees of elective officials", and inserting in lieu thereof the following material: "and their chief deputy and executive secretary", (86-0), and

As amended, do pass. (88-0)

That House Bill No. 681 be passed to the bottom of the board.

That House Bill No. 711 be amended in Section 1 of the second reading copy on page 4, line 15 by adding the word "each" after the word "challenges" and inserting a period thereafter, (78-0), and

As amended, do pass. (87-0)

That House Bill No. 725 do pass. (91-0)

That House Bill No. 745 do pass. (48-45)

That House Bill No. 752 do pass. (86-1)

That House Bill No. 756 be passed for the day.

That House Resolution No. 33 be adopted. (76-9)

That House Bill No. 681 be amended in Section 1, page 3, line 10 of the second reading bill by striking the words: "or resident", and

Further amend Section 1, page 3, line 9 by inserting after the word "is" the following words: "a resident of the proposed district or", (83-0), and

Further amend Section 2, page 5, line 12 of the second reading bill by striking the words: "or resident", and

Further amend Section 2, page 5, line 13 after the word "district" by inserting the following words: "or a resident therein", (77-0), and

Further amend Section 3, page 7, line 9 of the second reading bill by striking the words "or resident", and

Further amend Section 3, page 7, line 10 by inserting the words, and punctuation: "or a resident therein," after the word and punctuation "district", (81-0), and

As amended, do pass. (81-7)

COX, Chairman

Report adopted.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 643 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Barrett, Bell, Brand, Brown, Burnett, Campbell, Castles, Clemow, Cotton, Cox, East, Edland, Ellerd, Fagg, Fleming, Forsgren, Galt, Glennen, Gunderson, Hageman, Hager, Haines, R. Harper, Healy, Hubing, Jacobsen, Johnston, Jones, Kendall, Kessner, Kosena, Kvaalen, Lee, Lien, Lockrem, Lombardi, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marks, Mehrens, Menahan, Mercer, Murphy, Olson, Prevost, Quilici, Rolfe, Schepens, Schye, Selstad, Smith, Staigmilller, Stephens, Swanberg, Tierney, Turner, Ulmer, Walborn, Warfield, Zimmer, Mr. Speaker. Total 69.

Noes: Bardanouve, Baucus, Bennetts, Bradley, Driscoll, Fasbender, Greely, Halvorson, H. Harper, Hodges, Holmes, Huennekens, Kimble, Marbut, Norman, Regan, Roberts, Shelden, Stoltz, Towe, Turman, Watt, Yardley. Total 23.

Excused: Colberg, Hall, Holtz, Kolstad, Laas, Lucas. Total 6.

Absent or not voting: Seifert, Flynn. Total 2.

House Bill No. 674 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kosena, Kvaalen, Lee, Lien, Lockrem, Lombardi, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Selstad, Smith, Staigmilller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 92.

Noes: None.

Excused: Colberg, Hall, Holtz, Kolstad, Laas, Lucas. Total 6.

Absent or not voting: Seifert, Shelden. Total 2.

House Bill No. 687 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Burnett, Campbell, Castles, Clemow, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, Healy, Hodges, Holmes, Hubing, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kosena, Kvaalen, Lee, Lien, Lockrem, Lombardi, Lund, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Selstad, Smith, Staigmilller, Stephens, Stoltz, Tierney, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 84.

Noes: Bardanouve, Brown, Greely, R. Harper, Huennekens, Lundgren, Swanberg, Towe. Total 8.

Excused: Colberg, Hall, Holtz, Kolstad, Laas, Lucas. Total 6.

Absent: Seifert, Shelden. Total 2.

House Bill No. 715 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kosena, Kvaalen, Lee, Lien, Lockrem, Lombardi, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Selstad, Staigmilller, Stephens, Stoltz, Swanberg, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 89.

Noes: None.

Excused: Colberg, Hall, Holtz, Kolstad, Laas, Lucas. Total 6.

Absent or not voting: Bennetts, Seifert, Shelden, Smith, Tierney. Total 5.

Senate Amendments to House Bill No. 479 were concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bradley, Brand, Brown, Burnett, Campbell, Clemow, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kosena, Kvaalen, Lee, Lockrem, Lombardi, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Selstad, Smith, Staigmilller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 88.

Noes: Castles, Lien, Walborn. Total 3.

Excused: Colberg, Hall, Holtz, Kolstad, Laas, Lucas. Total 6.

Absent or not voting: Bennetts, Seifert, Shelden. Total 3.

REPORTS OF STANDING COMMITTEES

January 18, 1974

I have examined House Bill No. 297 introduced by me and find the same to be correct.

BARDANOUVE

January 18, 1974

I have examined House Bill No. 299 introduced by me and find the same to be correct.

BARDANOUVE

January 18, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly enrolled: House Bill 297, House Bill 299.

QUILICI, Chairman

January 18, 1974

The following bills and resolutions will be signed at 4:30 p.m. on January 18, 1974, in the office of the Speaker of the House of Representatives:

House Bill No. 297, House Bill No. 299.

EDWIN A. SMITH, Chief Clerk
House of Representatives

January 18, 1974

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 637, respectfully report as follows: That House Bill No. 637 be amended on page 1, Section 1, line 17 after the word and punctuation "earnings." by deleting the material "If the mother is deceased, the father of an illegitimate unmarried minor, if he has registered a notice of paternity in accordance with section 61-219, is entitled to the custody, services, and earnings of the minor." and inserting in lieu thereof the new material: "The father is also entitled to the custody, services and earnings of his minor illegitimate child if his paternity is established by an adjudication or by other clear and convincing proof and if he has openly treated the child as his and has not refused to support the child.", and

Be further amended on page 3, Section 2, Subsection (g), lines 3, 4 and 5 by deleting all of Subsection (g) in its entirety, and

Be further amended on pages 4, 5 and 6 by deleting all of Sections 3, 4, 5 and 6 in their entirety and inserting in lieu thereof the following new material to read as follows: "Section 3. There is a new section to be numbered 61-301, R.C.M. 1947, which reads as follows: 61-301. Court proceedings to terminate the parental rights of fathers.

(1) At any time after the birth of a child an agency having obtained custody of a child under the provisions of R.C.M. 1947, Sections 61-119 and 71-712, or otherwise, may petition the appropriate district court for an order terminating the parental rights of the father.

(2) In an effort to identify the natural father, the court shall cause inquiry to be made of the mother and any other appropriate person. The inquiry shall include the following: whether the mother was married at the time of conception of the child or at any time thereafter; whether the mother was cohabiting with a man at the time of conception or birth of the child; whether the mother has received support payments or promises of support with respect to the child or in connection with her pregnancy or whether any man has formally or informally acknowledged or declared his possible paternity of the child.

(3) If, after the inquiry, the natural father is identified to the satisfaction of the court, or if more than one man is identified as a possible father, each shall be given notice of the proceeding in accordance with the following section of this act. If any of them fails to appear or, if appearing fails to claim parental rights, his parental rights with reference to the child shall be terminated. If the natural father or man representing himself to be the natural father, claims parental rights, the court shall proceed to determine parental rights. In this connection the court may consider, among other things, his willingness and ability to care for and/or support the child during the child's minority in determining what is in the best interest of the child.

(4) If, after the inquiry, the court is unable to identify the natural father or any possible natural father and no person has appeared claiming to be the natural father and claiming custodial rights, the court shall enter an order terminating the unknown natural father's parental rights with reference to the child. Subject to the disposition of an appeal, upon the expiration of six (6) months after an order terminating parental rights is issued under this section, the order cannot be questioned by any person, in any manner, or upon any ground, including fraud, misrepresentation, failure to give any required notice, or lack of jurisdiction of the parties or of the subject matter.

Section 4. There is a new section to be numbered 61-302, R.C.M. 1947, which reads as follows: 61-302. Notice of the proceeding. Notice of the proceeding shall be given to every person identified as the natural father or a possible natural father in the manner appropriate under rules of civil procedure for the service of process in a civil action in this state, or in any manner the court directs. Proof of giving the notice shall be filed with the court before the petition is served. If no person

has been identified as the natural father or a possible father, the court, on the basis of all information available, shall determine whether publication or public posting of notice of the proceeding is likely to lead to the identification and, if so, shall order publication or public posting at times and in places and manner it deems appropriate.

Section 5. In any action brought by either natural parent involving the parental rights of an adopted child after the entry of a final decree of adoption, the question of custody shall be decided solely on the basis of what is in the best interests of the child. In this connection the court may consider the willingness and ability of the natural parent to care for and support the child as demonstrated by their past actions.

Section 6. Subject to the disposition of an appeal, upon the expiration of six (6) months after a final decree of adoption, the adoption decree cannot be questioned by any person, in any manner, or upon any ground, including fraud, misrepresentation, failure to give any required notice, or lack of jurisdiction of the parties or of the subject matter.

Section 7. This act is effective on its passage and approval.", and

Be further amended on page 3, Section 2, line 5 after the material "section 61-219." by adding a new subsection (h) to read as follows: (h) who has been, if he is the father and the child is illegitimate, adjudged to have no further rights to the child by the entry of an order terminating the parental rights of the father as set forth in section 3 of this act.", and

As amended, do pass.

YARDLEY, Vice-Chairman

Report adopted.

January 18, 1974

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 686, respectfully report as follows: That House Bill No. 686 do pass.

YARDLEY, Vice-Chairman

Report adopted.

January 18, 1974

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 751, respectfully report as follows: That House Bill No. 751 do not pass.

YARDLEY, Vice-Chairman

Fasbender moved that the House adjourn until 1:30 p.m., January 19, 1974.

Motion carried.

House adjourned.

HAROLD E. GERKE, Speaker

EDWIN A. SMITH, Chief Clerk

TWELFTH LEGISLATIVE DAY

Helena, Montana
January 19, 1974

House Chambers
Capitol Building

House convened at 1:30 p.m., Mr. Speaker in the Chair.

Invocation by the Chaplain.

Pledge of Allegiance to the Flag.

Roll call. All members present except Burnett, Jacobsen, Seifert, and Smith, all excused.

Quorum present.

Mr. Speaker: We, your Committee on Bills and Journal, having examined the daily journal for the Eleventh Legislative Day, find the same to be correct.

QUILICI, Chairman

REPORTS OF STANDING COMMITTEES

January 18, 1974
reported January 19, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill correctly printed: House Bill No. 625.

QUILICI, Chairman

January 19, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly printed: House Bill No. 202, House Bill No. 213, House Bill No. 298, House Bill No. 300, House Bill No. 412, House Bill No. 612, House Bill No. 654, House Bill No. 665, House Bill No. 672, House Bill No. 686, House Bill No. 743, House Bill No. 754, House Bill No. 762, House Bill No. 764, House Bill No. 794, House Bill No. 812, House Bill No. 823, House Bill No. 842, House Bill No. 843.

QUILICI, Chairman

January 19, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills considered correctly engrossed: House Bill No. 421, House Bill No. 631, House Bill No. 645, House Bill No. 725, House Bill No. 745, House Bill No. 752.

QUILICI, Chairman

January 18, 1974

The following bills were signed in the office of the Speaker of the House of Representatives on January 18, 1974: House Bill No. 297 and House Bill No. 299.

EDWIN A. SMITH, Chief Clerk
House of Representatives

January 19, 1974

The following resolution will be signed at 4:00 p.m. on January 19, 1974, in the office of the Speaker of the House of Representatives: Senate Joint Resolution No. 41.

EDWIN A. SMITH, Chief Clerk
House of Representatives

January 16, 1974

Mr. Speaker: We, your Committee on Local Government, having had under consideration House Bill No. 692, respectfully report as follows: That House Bill No. 692 do pass.

KOSENA, Chairman

Report adopted.

January 19, 1974

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 800, respectfully report as follows: That House Bill No. 800 do pass.

GUNDERSON, Chairman

Report adopted.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 498 was adopted by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Hall, H. Harper, R. Harper, Healy, Holmes, Holtz, Hubing, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Rolfe, Schepens, Schye, Selstad, Shelden, Staigmilller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 89.

Noes: None.

Excused: Burnett, Jacobsen, Seifert, Smith. Total 4.

Absent or not voting: Brand, Haines, Halvorson, Hodges, Huennekens, McKittrick, Roberts. Total 7.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 728 was adopted by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Barrett, Bell, Brown, Campbell, Castles, Clemow, East, Ellerd, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Gunderson, Hageman, Hall, Healy, Holtz, Hubing, Johnston, Jones, Kendall, Kessner, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marks, Mehrens, Menahan, Mercer, Olson, Prevost, Quilici, Roberts, Rolfe, Schepens, Schye, Selstad, Shelden, Staigmilller, Stephens, Stoltz, Swanberg, Tierney, Turner, Walborn, Warfield, Yardley, Zimmer, Mr. Speaker. Total 67.

Noes: Bardanouve, Bennetts, Bradley, Brand, Colberg, Cotton, Driscoll, Fagg, Greely, H. Harper, R. Harper, Hodges, Holmes, Huennekens, Kimble, Marbut, Murphy, Norman, Regan, Towe, Turman, Watt. Total 22.

Excused: Burnett, Jacobsen, Seifert, Smith. Total 4.

Absent or not voting: Baucus, Cox, Edland, Hager, Haines, Halvorson, Ulmer. Total 7.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 751 was adopted by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Hall, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Selstad, Shelden, Staigmilller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 94.

Noes: None.

Excused: Burnett, Jacobsen, Seifert, Smith. Total 4.

Absent or not voting: Haines, Halvorson. Total 2.

MESSAGES FROM THE OTHER HOUSE

January 18, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following

House Bill was this day, on Committee Report and duly adopted, recommended for nonconcurrence and the bill is herewith returned to the House:

House Bill No. 333, introduced by Fasbender

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

January 18, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was this day read three several times and concurred in as amended, title and history agreed to, and the bill is herewith returned to the House for concurrence in Senate amendments:

House Bill No. 489, introduced by Greely

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

January 18, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that House Amendments to Senate Joint Resolution No. 46 were this day concurred in by the Senate.

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

January 18, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bill was this day read third time, and passed, title and history agreed to and the bill is herewith transmitted to the House for concurrence:

Senate Bill No. 505, introduced by Drake, Bennett and Harrison

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following bill was introduced, read first time and referred to committee:

Senate Bill No. 505, introduced by Drake, Bennetts, Harrison: A bill for an act entitled: "An act to amend Section 31-144, R.C.M. 1947, providing for suspension of resident's license upon conviction of a traffic offense in another state or the Dominion of Canada." Referred to Committee on Judiciary.

MOTIONS

Regan moved that the Speaker appoint a new Conference Committee to meet with a like committee from the Senate on House Joint Resolution No. 4.

Motion carried.

SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)

Fasbender moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading under the rules of the previous sitting.

Motion carried.

Murphy in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

January 19, 1974

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That House Bill No. 577 be amended in Section 5, page 3, line 11 by deleting the punctuation: "." and inserting in lieu thereof the punctuation and words: ", provided the department may not exercise this right of offset until the debtor has first been notified by the department and given an opportunity for a hearing." (83-7), and

Further amend Section 9, page 4, line 11, by adding after the word: "apply", the following new language: "to unliquidated debts and" (84-1), and

As amended, do pass. (89-0)

That House Bill No. 625 do pass. (89-2)

That House Bill No. 694 be amended in Section 5, page 4, line 3 following the word: "council" by striking the words: "to enforce this act and", and

Further amend on page 4, line 4 following the word: "under" by striking the word: "it" and insert in lieu thereof the words: "this act." (85-0), and

As amended, do pass. (80-6)

That House Bill No. 716 be amended in Section 1, page 4, line 25 by adding after the word: "policy" the words: "without increasing coverage" (84-5), and

As amended, do pass. (59-23)

That House Bill No. 717 do not pass. (46-39)

That House Bill No. 742 do pass. (85-0)

That House Bill No. 756 do pass. (75-10)

That House Bill No. 757 be passed for the day.

That Senate amendments to House Bill No. 592 be concurred in. (82-0)

That the committee rise and report.

MURPHY, Chairman

Report adopted.

REPORTS OF STANDING COMMITTEES

January 19, 1974

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 345, respectfully report as follows: That House Bill No. 345 do not pass.

BRAND, Chairman

UNFINISHED BUSINESS

The Speaker appointed the following Conference Committee to meet with a like

committee from the Senate on House Joint Resolution No. 4: Regan, Chairman; Prevost and Castles.

MOTIONS

Turman moved that House Bill No. 596 be taken from the Committee on Taxation and referred to the Committee on Public Health, Welfare and Safety.

Motion carried.

Regan moved that House Joint Resolution No. 72 be taken from the Committee on Constitution, Elections and Federal Relations and referred to the Committee on Judiciary.

Motion carried.

Fasbender moved that the House adjourn until 1:30 p.m., January 21, 1974.

Motion carried.

House adjourned.

HAROLD E. GERKE, Speaker

EDWIN A. SMITH, Chief Clerk

THIRTEENTH LEGISLATIVE DAY

Helena, Montana
January 21, 1974

House Chambers
Capitol Building

House convened at 1:30 p.m., Mr. Speaker in the Chair.

Invocation by the Chaplain.

Pledge of Allegiance to the Flag.

Roll call. All members present except Roberts, Flynn, Prevost, Ellerd and Towe, all excused.

Quorum present.

Mr. Speaker: We, your Committee on Bills and Journal, having examined the daily journal for the Twelfth Legislative Day, find the same to be correct.

QUILICI, Chairman

REPORTS OF STANDING COMMITTEES

January 21, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills considered correctly engrossed: House Bill No. 625, House Bill No. 742, House Bill No. 756.

QUILICI, Chairman

January 21, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly printed: House Bill No. 664, House Bill No. 775, House Bill No. 637.

FLEMING, Chairman

January 21, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: House Bill No. 670, House Bill No. 681, House Bill No. 711, House Bill No. 716.

FLEMING, Chairman

January 21, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly printed: House Bill No. 692, House Bill No. 800.

QUILICI, Chairman

January 21, 1974

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bill No. 297 and House Bill No. 299, do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day, at the hour of 9:00 o'clock, A.M., delivered to the Governor for his approval.

QUILICI, Chairman

January 19, 1974

The following resolution was signed in the office of the Speaker of the House of Representatives on January 19, 1974: Senate Joint Resolution No. 41.

EDWIN A. SMITH, Chief Clerk
House of Representatives

January 21, 1974

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration Senate Bill No. 318, respectfully report as follows: That Senate Bill No. 318 be not concurred in.

STAIGMILLER, Chairman

Report adopted.

January 19, 1974

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 459, respectfully report as follows: That Senate Bill No. 459 be amended on page 1, line 14 of the original bill, being page 1, line 15 of the second reading bill, after the figures and punctuation: "7-131", by deleting the numbers: "7-135", and inserting in lieu thereof the new material: "7-136", and

Be further amended on page 1, line 16 and 17 of the original bill, being page 1, line 17 of the second reading bill, after the material: "15-2614" by deleting the material: "27-301 through 27-311, 27-313 through 27-317", and

Be further amended on page 1, line 25 of the original bill, being page 2, line 1 of the second reading bill, by deleting the material: "70-201 through 70-233", and

Be further amended on page 2, line 1 of the original bill, being page 2, line 1 of the second reading bill, after the material: "82A-401 through", by inserting the new material: "82A-403", and

Be further amended on page 4, Section 1, Subsection (9), line 7 of the original bill, being page 4, Section 1, Subsection (9), line 8 of the second reading bill, after the material: "chapter 4.", by inserting a new Subsection (10) to read as follows: "(10) 'Board' means the state banking board provided for in section 5-606.", and

Be further amended on page 5, Section 2, line 18 of the original bill, being page 5, Section 2, line 20 of the second reading bill, after the material "department.", by inserting the following new material: "All information gathered by the department under this section shall be transmitted to the board for its use in conducting hearings on applications for certificates of authorization."

"Section 2A. There is a new section to be numbered 5-202.1, R.C.M. 1947, which reads as follows:

5-202.1. Board to refuse or approve application. The board may refuse or approve an application for a certificate of authorization in accordance with sections 5-607 through 5-614.", and

Be further amended on page 5, Section 3, lines 21 through 25 and on page 6, lines 1 through 8 of the original bill, being page 5, lines 23 through 25 and page 6, lines 1 through 10 of the second reading bill, after the material: "'5-203.", by deleting all the material up to and including the word: "duplicate" and inserting in lieu thereof the new material: "Filing of certificate and articles of agreement.", and

Be further amended on page 6, Section 3, line 15 of the original bill, being page 6, Section 3, line 17 of the second reading bill, after the word "the" by deleting the word "other", and

Be further amended on page 6, Section 3, line 15 of the original bill, being page 6, Section 3, line 17 of the second reading bill, after the word "authorization" by deleting the material: "issued by the superintendent of banks department," and

Be further amended on page 10, Section 6, line 8 of the original bill, being page 10, Section 6, line 10 of the second reading bill, after the word "banks" by deleting the word: "department" and inserting in lieu thereof the word: "board", and

Be further amended on page 18, Section 11, Subsection (a), line 5 of the original bill, being page 18, Section 11, Subsection (a) on line 7 of the second reading bill, after the word "furniture" by inserting the new material: ", equipment", and

Be further amended on page 29, Section 16, Subsection (2), lines 8 through 12 of the original bill, being page 29, Section 16, Subsection (2), lines 10 through 14 of the second reading bill, by deleting all the material in lines 10, 11, 12, 13 and 14, after the material: "and the" and inserting in lieu thereof the material: [that] That portion of the liabilities of [such] the firm, copartnership, or unincorporated association for which a member [thereof] individually [shall be] is legally responsible shall be included in the liabilities of the member in determining the [foregoing] limitations imposed by this section. In determining the limitation for loans to a limited partner of a limited partnership, those portions of the liabilities of the limited partnership for which the limited partner is free from liability shall be excluded.", and

Be further amended on page 32, after line 20 of the original bill, being page 32, after line 22 of the second reading bill, to follow Section 19, reading as follows:

"Section 19A. Section 5-610 is amended to read as follows:

'5-610. The state banking board shall have the following powers in addition to any others that hereafter may be granted to it by law:

(1) to make final determinations upon applications for [charters] certificates of authorization for new banks, mergers, consolidations, and relocations of banks," and

Be further amended on page 10, Section 6, line 8 of the original bill, being page 10, Section 6, line 10 of the second reading bill, after the word: "banks" by deleting the word: "department" and inserting in lieu thereof the word: "board", and

Be further amended on page 18, Section 11, Subsection (a), line 5 of the original bill, being page 18, Section 11, Subsection (a) on line 7 of the second reading bill, after the word: "furniture" by inserting the new material: ", equipment", and

Be further amended on page 29, Section 16, Subsection (2), lines 8 through 12 of the original bill, being page 29, Section 16, Subsection (2), lines 10 through 14 of the second reading bill, by deleting all the material in lines 10, 11, 12, 13 and 14, after the material: "and the" and inserting in lieu thereof the material: "[that] That portion of the liabilities of [such] the firm, copartnership, or unincorporated association for which a member [thereof] individually [shall be] is legally responsible shall be included in the liabilities of the member in determining the [foregoing] limitations imposed by this section. In determining the limitation for loans to a limited partner of a limited partnership, those portions of the liabilities of the limited partnership for which the limited partner is free from liability shall be excluded.", and

Be further amended on page 32, after line 20 of the original bill, being page 32, after line 22 of the second reading bill, to follow Section 19, reading as follows:

"Section 19A. Section 5-610 is amended to read as follows:

'5-610. The state banking board shall have the following powers in addition to any others that hereafter may be granted to it by law:

(1) to make final determinations upon applications for [charters] certificates of authorization for new banks, mergers, consolidations, and relocations of banks;

(2) to act in an advisory capacity with respect to the duties and powers given by statute or otherwise to the director of business regulation as said duties and powers relate to banking."

Section 19B. Section 5-611 is amended to read as follows:

'5-611. The board shall adopt rules and regulations to the extent and in the manner as provided in the Montana Administrative Procedure Act. In addition, the board shall, in the manner provided in said act and as expeditiously as possible, adopt rules as it deems necessary and proper to implement its duties and powers.

In particular, the board shall give priority to promulgation of rules concerning the [chartering] authorization of new banks. Such rules shall contain minimum standards under which an application for a new bank shall be determined. Such standards shall include the following:

(1) a persuasive showing that there is a reasonable public necessity and demand for a new bank at the proposed location;

(2) that the bank will be owned and managed by persons of good moral character and financial integrity, and will be safely and soundly operated;

(3) a persuasive showing that the new bank will have a sufficient volume of business to assure solvency and that establishment of the new bank will be in the public interest.'

Section 19C. Section 5-612 is amended to read as follows:

'5-612. In addition to the requirements of the Montana Administrative Procedure Act, the following shall be required: A hearing shall be conducted upon all applications for new bank [charters] certificates of authorization, and all provisions of the Administrative Procedure Act relating to a contested case shall be followed, whether or not any protest to the application is filed. A notice of the filing of an application for a new bank [charter] certificate of authorization shall be mailed to all banks within one hundred (100) miles of the proposed location, measured in a straight line. A hearing shall be conducted no sooner than thirty (30) days and not later than ninety (90) days following the mailing of such notice. Any bank filing a written protest with the board prior to the date of the hearing shall be admitted as a "party," as defined in the Administrative Procedure Act, with full rights of a party, including the right of subpoena of witnesses and written materials, the right of cross-examination, the right to have a transcript, and the right to receive all notices, copy of the application, all orders, and the right of judicial review and appeal. All applications for mergers, consolidations or relocations of banks shall likewise require a hearing, and all of the rights and procedures stated herein shall apply to these matters.'", and

Be further amended on page 35, Section 23, line 12 of the original bill being page 35, Section 23, line 14 of the second reading bill, after the words: "information to" by inserting the new material: "the legislative auditor and", and

Be further amended on page 103, Section 74, Subsection (1), line 1 of the original bill, being page 103, Section 74, Subsection (1), line 6 of the second reading bill, by deleting the material: "assessor of the county" and inserting in lieu thereof the new material: "department of revenue or its agent", and

Be further amended on page 103, Section 74, Subsection (1), line 8 of the original bill, being page 103, Section 74, Subsection (1), line 13 of the second reading bill, after the word "the" by deleting the word: "assessor" and inserting in lieu thereof the new material: "department or its agent", and

Be further amended on page 103, Section 74, Subsection (1), line 11 of the original bill, being page 103, Section 74, Subsection (1), line 16 of the second reading

bill, after the word: "the" by deleting the word: "assessor" and inserting in lieu thereof the new material: "department or its agent", and

Be further amended on page 117, Section 85, lines 19 through 24 of the original bill, being page 119, Section 85, lines 3 through 10 of the second reading bill, by deleting all of Section 85 in its entirety and renumbering subsequent sections to conform numerically, and

Be further amended on pages 139 through 144, Sections 99 through 106, beginning with line 22 on page 139 and continuing through line 24 on page 144 of the original bill, being pages 141 through 146, Sections 99 through 106, beginning with line 8 on page 141 and continuing through line 10 on page 146 of the second reading bill, by deleting all the material therein in its entirety and renumbering the subsequent sections to conform numerically, and

Be further amended on page 152, Section 109, Subsection (5), lines 7 through 11 of the original bill, being page 153, Section 109, Subsection (5), lines 23 through line 1 on page 154 of the second reading bill, by deleting Subsection (5) in its entirety, and

Be further amended on page 154, Section 110, Subsection (4), lines 6 through 10 of the original bill, being page 156, Section 110, Subsection (d), lines 1 through 5 of the second reading bill, by deleting all of Subsection (d) in its entirety, and

Be further amended on page 157, Section 111, Subsection (e), line 7 of the original bill, being page 159, Section 111, Subsection (e) line 2 of the second reading bill, after the word: "of" by deleting the material: "butter-nonfat" and inserting in lieu thereof the new material: "butter, nonfat", and

Be further amended on page 172, Section 121, line 25 of the original bill, being page 174, Section 121, line 21 of the second reading bill, after the word: "such" by deleting the word: "a", and

Be further amended on page 174, Section 121, Subsection (f), line 8 of the original bill, being page 176, Section 121, Subsection (f), line 5 of the second reading bill, after the word: "facilities" by deleting the material: "rented or", and

Be further amended on page 174, Section 121, Subsection (f), line 12 of the original bill, being page 176, Section 121, Subsection (f), line 9 of the second reading bill, after the word "covering" by deleting the material: "rental charges" and inserting in lieu thereof the material: "sales", and

Be further amended on page 174, Section 121, Subsections (g) and (h), lines 13 through 20 of the original bill, being page 176, Section 121, Subsections (g) and (h), lines 10 through 17 of the second reading bill, by deleting all of Subsections (g) and (h) in their entirety and relettering subsequent subsections to conform alphabetically, and

Be further amended on page 190, Section 138, line 7 of the original bill, being page 192, Section 138, line 7 of the second reading bill, after the material: "act," by deleting the material: "'board' means the board of trade provided for in section 82A-404", and inserting in lieu thereof the new material: "'department' means the department of business regulation provided for in section 82A-401", and

Be further amended on page 195, Section 140, Subsection (5), line 17 of the original bill, being page 197, Section 140, Subsection (5), line 14 of the second reading bill, after the material: "order of the" by deleting the word: "commission" and inserting in lieu thereof the word: "department", and

Be further amended on page 204, Section 143, line 3 of the original bill, being page 206, Section 143, line 3 of the second reading bill, after the word: "commission" by deleting the words "the board or", and

Be further amended on page 226, Section 162, lines 1 through and including page 227, line 2 of the original bill, being page 228, Section 162, starting on line 1 through and including line 2 on page 229, by deleting all of Section 162 in its entirety and renumbering subsequent sections accordingly, and

Be further amended on page 255, Section 190, line 2 of the original bill, being page 257, Section 190, line 3 of the second reading bill, after the material: "5-1020," by deleting the material: "5-1021," and

Be further amended on page 255, Section 190, line 6 of the original bill, being page 257, Section 190, line 7 of the second reading bill, after the material: "therefor.", by adding a new Section 190A to read as follows: "Section 190A. Wherever the words "superintendent of banks" appear in section 5-1021, the words 'state banking board' are substituted therefor.", and

Be further amended on page 255, Section 193, line 18 of the original bill, being page 257, Section 193, line 19 of the second reading bill, after the material "therefor." by adding new Sections 193A and 193B to read as follows: "Section 193A. Wherever the word 'board' appears in sections 51-113, 51-114, 51-115, the word 'department' shall be substituted therefor.

Section 193B. The publishers of the Revised Codes of Montana, 1947, are directed, under the supervision of the Supreme Court of Montana, to make the substitutions enumerated in sections 190, 190A, 191, 192, 193, and 193A of this act when reprinting sections or portions of sections of the Revised Codes in either supplements to or replacement volumes for the Revised Codes.", and

Be further amended on page 255, Section 194, line 20 of the original bill, being page 257, Section 194, line 21 of the second reading bill, after the figures and punctuation "5-1311.", by deleting the numbers: "7-135" and inserting in lieu thereof the new numbers: "7-152", and

Be further amended on page 255, Section 194, line 21 of the original bill, being page 257, Section 194, line 22 of the second reading bill, by deleting the material: "27-302 through 27-305, 27-307 through 27-309, 27-317.", and

Be further amended on page 255, Section 194, line 22 of the original bill, being page 257, Section 194, line 23 of the second reading bill, after the numbers and punctuation: "47-225," by deleting the material: "70-201 through 70-233.", and

Be further amended on page 255, Section 194, line 24 of the original bill, being page 257, Section 194, line 25 of the second reading bill, after the material: "82A-403," by deleting the material: "82A-405.", and

As amended, be concurred in.

(Material in brackets denotes cancelled type.)

HALL, Chairman

Report adopted.

January 19, 1974

Mr. Speaker: We, your Committee on Natural Resources, having had under consideration House Bill No. 628, respectfully report as follows: That House Bill No. 628 be amended as follows:

Be amended by striking out everything after the enacting clause and inserting in lieu thereof the following material:

"Section 1. This act shall be known and may be cited as the 'Montana Natural Areas Act of 1974.'

Section 2. The legislative assembly finds that in the expanses of Montana there are natural areas possessing significant scenic, educational, scientific, biological, and/or geological values, or areas possessing these characteristics to a degree promising their restoration to a natural state; that since the development of these areas is an irreversible commitment of a finite and diminishing resource of fundamental importance, the remaining areas should be preserved for the benefit of this and future generations; and that currently there are no regulations promulgated by the state or local governments to insure adequate protection for natural areas. It is the intention of the legislative assembly to establish a system for the protection of natural or potentially natural areas in order to preserve their natural ecosystem integrity in perpetuity.

In this connection, the legislature recognizes the fact that the school trust lands are held in trust for the support of education and for the attainment of other worthy objects helpful to the well-being of the people of the state; that it is the duty of

the board of land commissioners to administer this trust so as to secure the largest measure of legitimate and reasonable advantage to the state; and hereby declares the preservation of natural areas, whether trust or other lands, for the enjoyment and inspiration of future generations, to be an object worthy of legislative action helpful to the well-being of the people of the state and also declares that the preservation of natural areas on state trust land has sufficient value to present and future education to meet the state's obligation for the disposition and utilization of trust lands as specified in the Enabling Act.

Section 3. (1) 'Natural area' means an area of land which must generally appear to have been affected primarily by the forces of nature with the visual aspects of human intrusion not dominant, and also must have one or more of the following characteristics:

(a) An outstanding mixture or variety of vegetation, wildlife, water resource, landscape and scenic values.

(b) An important or rare ecological or geological feature or other rare or significant natural feature worthy of preservation for scientific, educational or ecological purposes.

(2) 'Board' means the board of land commissioners.

(3) 'Department' means the department of state lands.

(4) 'Council' means the natural areas advisory council created by this act.

Section 4. A natural area, as defined in section 3, may become subject to the provisions of this act in any of the following ways:

(1) Designation by the board on lands controlled by the board.

(2) Designation by the legislative assembly on lands owned by the state of Montana.

(3) Acquisition by the board by purchase with consent of the property owner of sufficient interests in private property to protect the natural area; provided however that transfer of surface property or development rights shall not alter the rights attending the subsurface estate if owned by another party.

(4) Gift accepted by the board.

(5) Trade of state owned trust land for a natural area on federal, county or private land, provided however that lands received in exchange for trust lands should be equal in value to the exchanged trust land and, as closely as possible, equal in area.

Section 5. The department shall establish and utilize procedures to identify the existing or potentially natural areas on lands under its jurisdiction and shall collect information on potential natural areas on private, county, and other state land. The department of natural resources shall cooperate with the department by reporting potential natural areas on state timber lands. The department shall make recommendations to the board for designation of natural areas on state lands controlled by the board and for acquisition of interest in other lands for the preservation of natural areas. The board shall submit to each legislative assembly an annual report on its designation and acquisition activities.

Section 6. The legislative assembly may designate natural areas on any state owned land.

Section 7. Subject to the limits of available appropriations, the board is authorized to acquire interests to lands by any lawful means for the purpose of designating natural areas; provided that the board shall exercise the power of eminent domain only in specific instances where authorized by the legislative assembly.

Section 8. (1) Natural areas acquired or designated in accordance with the provisions of this act are protected from condemnation or other development adversely affecting the integrity of the natural area until legislative action is taken specifically authorizing the condemnation or development.

(2) Land uses on the designated or acquired natural area in existence at the time of designation or acquisition by the board may continue under appropriate leases or agreements. All such land uses shall be controlled under regulations established by the board under section 9.

Section 9. (1) The board shall, after at least one public hearing, promulgate comprehensive regulations for the protection of acquired and designated natural areas within its jurisdiction. Such regulations shall be consistent with the intent of this act and shall be promulgated and enforced so as to protect the qualities of the natural areas. Special attention shall be given to protecting areas from recreational overuse.

(2) The regulations shall provide at least two board meetings per year for the receipt of testimony on the board's proposed designation of natural areas. No area shall be designated by the board unless the opportunity for public testimony has been afforded at meetings provided for in the regulations, and positive notification of all involved landowners and lessees has been made.

Section 10. (1) If the governor appoints a natural areas advisory council, the council shall consist of seven (7) citizens of the state, four (4) of whom shall possess experience in the evaluation and preservation of natural areas, and one (1) member each from agriculture, ranching and industry. The council shall make recommendations to the board for the administration of the natural areas system and additions thereto from state, federal, county or private land.

(2) Within ninety (90) days of the receipt of a council recommendation the board shall:

(a) In the case of state trust lands and existing designated areas promulgate a rule designating a recommended natural area contained in the recommendation and adopting the recommendation, or issue a written statement of its reasons for denying the recommendation.

(b) In the case of federal, private or county land direct the department to begin investigation and negotiation to acquire by purchase or trade interests in the land necessary to protect the natural area, or issue a written statement of its reasons for denying the recommendation.

Section 11. The board and the natural areas advisory council shall consult with citizen organizations and other interested state agencies in the administration of this act. All files and proceedings under this act shall be open to the public.

Section 12. A designated natural area that is or shall become a part of a state park, wildlife refuge, or similar area shall be subject to the provisions of this act and the laws under which the other areas may be administered and in the case of conflict between the provisions of these laws the more restrictive provisions shall apply.

Section 13. It is the intent of the legislative assembly that if a part of this act is invalid, all valid parts that are severable from the invalid part remain in effect. If a part of this act is invalid in one or more of its applications, the part remains in effect in all valid applications that are severable from the invalid applications," and

As amended, do pass.

SHELDEN, Chairman

Report adopted.

January 21, 1974

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Bill No. 778, respectfully report as follows: That House Bill No. 778 be amended in Section 1, Subsection (1), page 1, line 18 after the word: "on" by inserting the following new material: "two places on his head or chest and back", and

Be further amended in Section 1, Subsection (1), page 1, line 20 after the word:

"material", by inserting the following new material: "visible at all times while hunting", and

Be further amended in Section 1, Subsection (4), page 2, line 6 after the word: "commission", by deleting the word: "may" and inserting in lieu thereof the word: "shall", and

Be further amended in Section 2, page 2, starting on line 14, by deleting the following material: "Any person violating any of the provisions of this section or any of the orders of the state fish and game commission shall be guilty of a misdemeanor, and upon conviction thereof shall be punished as provided in section 26-324.", and inserting in lieu thereof the following material: "Any person convicted of a violation of any of the provisions of this act shall be deemed guilty of a misdemeanor and shall be punished by a fine of not less than ten dollars (\$10.00) or more than twenty dollars (\$20.00).", and

As amended, do pass.

STAIGMILLER, Chairman

Report adopted.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 345 was adopted by the following vote:

Ayes: Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, Edland, Fasbender, Fleming, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kosena, Kvaalen, Laas, Lien, Lockrem, Lombardi, Lund, Lundgren, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Mercer, Murphy, Olson, Rolfe, Schepens, Schye, Selstad, Shelden, Stephens, Stoltz, Swanberg, Tierney, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 78.

Noes: Aageson, Kolstad, Lee, Lynch, Menahan, Quilici. Total 6.

Excused: Ellerd, Flynn, Prevost, Roberts, Towe. Total 5.

Absent or not voting: Ainsworth, East, Fagg, Hall, Kimble, Lucas, Norman, Regan, Seifert, Smith, Staigmillier. Total 11.

MESSAGES FROM THE GOVERNOR

January 11, 1974

The Honorable Harold E. Gerke, Speaker
Montana House of Representatives

Montana State Capitol
Helena, Montana 59601

Dear Speaker Gerke and Members:

As you are aware, Montana is moving into an era of local government reform. The new Montana Constitution mandates reform of local government and reform of local government is the logical succession to executive reorganization and constitutional revision, both of which have now been accomplished. Therefore, I have requested that the attached legislation, which is entitled, "AN ACT ESTABLISHING A TEMPORARY COMMISSION ON LOCAL GOVERNMENTS" be introduced.

By the 1976 elections the voters in each community and each county in Montana will have completed a research - study - evaluation - election procedure to determine whether they should keep their present forms of government or adopt one of the alternate forms to be made available by the Legislature. They will also decide whether their local government should have "shared powers" or "granted powers."

We must enact legislation in this session of the Legislature to begin this process.

I have proposed legislation to establish and fund a state commission on local

government modernization to make a detailed and thorough study of local government structures, powers, services and finances.

Based on its studies, the commission will prepare a revised local government code which it will report to the 1975 and 1976 Legislative Sessions. These new laws can therefore be enacted prior to the 1976 review of local government required in each county and city by the new Constitution.

The existing legal relationship between the state and its local governments is based on an unnecessarily complex accumulation of more than 100 years of legislation. This accumulation of over 6,000 sections in all nine volumes of the Montana Revised Codes is based on the old 1889 Constitution and these code sections have never been reviewed, analyzed or revised. Furthermore, these code sections are not consistent with the local government article of the new Constitution. The new Constitution requires a new legal framework for local governments based on the new Constitution's authorization of self-government powers for counties, cities and towns. Self-governing local governments will have all powers not denied them by law.

The new Constitution now provides for such freedom but its provisions must be carefully implemented. We must move from our present tangle of confused and conflicting and unnecessarily complex local government laws to a new set of local government laws that will give local governments the authority to deal effectively with local government problems.

The new Montana Constitution and a new local government code will permit local governments to be partners with the state instead of stepchildren of the state.

Sincerely,

THOMAS L. JUDGE
Governor

MESSAGES FROM THE OTHER HOUSE

January 19, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day read third time, and passed, title and history agreed to, and the bills are herewith transmitted to the House for concurrence:

Senate Bill No. 488, introduced by Bertsche

Senate Bill No. 536, introduced by Bennett, Drake and McGowan

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

MOTIONS

Driscoll moved that House Bill 900 be taken from the Committee on Business and Industry and referred to the Committee on Public Health, Welfare and Safety.

Motion carried.

Gunderson moved that House Joint Resolution No. 80 be taken from the Committee on Education and referred to the Committee on State Administration.

Motion carried.

Fagg moved that House Bill No. 953 be taken from the Committee on Education and referred to the Committee on Taxation.

Motion carried.

Murphy moved that House Bill No. 938 be taken from the Committee on Finance and Claims and referred to the Committee on Public Health, Welfare and Safety.

Motion carried.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following bills were introduced, read first time, and referred to committees:

Senate Bill No. 488, introduced by Bertsche: A bill for an act entitled: "An act amending Sections 79-1012 and 82A-202, R.C.M. 1947, and re-establishing the position of Budget Director within the Office of the Governor; and providing an effective date." Referred to Committee on State Administration.

Senate Bill No. 536, introduced by Bennett, Drake, McGowan: A bill for an act entitled: "An act permitting incorporation of firms engaged in the practice of public accounting; regulating such practice; and providing for the registration of such corporations; and amending Sections 66-1832, 66-1835, 66-1838, R.C.M. 1947." Referred to Committee on Business and Industry.

MOTIONS

Fasbender moved that the House send a message to the Senate requesting that the Senate recede from the Senate Amendments to House Joint Resolution No. 4.

As a substitute motion, Kvaalen moved that the motion by the Majority Leader be referred to the Rules Committee.

Motion carried.

Bardanouve moved that House Bill NO. 765 be taken from the Committee on Finance and Claims and referred to the Committee on Local Government.

Motion carried.

Fasbender moved that the House recess for ten minutes.

Motion carried.

House recessed.

House resumed.

Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

January 21, 1974

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 771, respectfully report as follows: That House Bill No. 771 do pass.

HALL, Chairman

Report adopted.

January 21, 1974

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 763, respectfully report as follows: That House Bill No. 763 do pass.

HALL, Chairman

Report adopted.

January 21, 1974

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 773, respectfully report as follows: That House Bill No. 773 do pass.

HALL, Chairman

Report adopted.

January 21, 1974

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 789, respectfully report as follows: That House Bill No. 789 be amended as follows:

Be amended on page 1, line 4, key line by deleting the figures and punctuation "86-312," and

Be further amended on page 1, line 8, title after the word "sections" by deleting the figures and punctuation "86-312," and

Be further amended on page 2, Section 1, Subsection (3), line 8, after the words "men of" by inserting the new material "like training and experience", and

Be further amended on page 2, Section 1, Subsection (3), line 20 after the words "men of" by inserting the new material "like training and experience", and

Be further amended on page 4, Section 3, Subsection (3), line 5, after the word "provided" by deleting the words "by law" and inserting in lieu thereof the new material "in this act", and

Be further amended on page 7, Section 3, Subsection (x), line 8, after the word "duties" by deleting the material: "to act without independent investigation upon their recommendations; and instead of acting personally, to employ one or more agents to perform any act of administration, whether or not discretionary", and

Be further amended on page 8, Section 6, line 17, after the word "exercise" by deleting the material: "; and a dissenting trustee is not liable for the consequences of an act in which he joins at the direction of the majority of the trustees, if he expressed his dissent in writing to any of his co-trustees at or before the time of the joinder", and

Be further amended on page 9, Section 7, lines 7 through 19 by deleting Section 7 in its entirety and renumbering subsequent sections accordingly, and

Be further amended on page 9, Section 8, line 22, after the word "established" by deleting the material "(before or)", and

Be further amended on page 9, Section 8, line 24, after the word "trustee" by deleting the material "(before or)", and

Be further amended on page 10, Section 12, line 12 after the word "sections" by deleting the figures and punctuation "86-312," and

As amended, do pass.

HALL, Chairman

Report adopted.

January 21, 1974

Mr. Speaker: We, your Committee on Rules, having had referred to it the question of whether or not it is proper under the rules to request the House send a message to the Senate requesting the Senate to recede from Senate amendments to House Joint Resolution No. 4, respectfully report as follows: That the motion is proper and acceptable, under Mason's Rule Section 767, Subsection 4, and can be considered at this time.

FASBENDER, Chairman

Report adopted.

MOTIONS

Fasbender restated his original motion; that the House send a message to the Senate requesting that the Senate recede from the amendments on House Joint Resolution No. 4.

Motion carried. (78-16)

Lien moved that House Joint Resolution No. 63 be taken from the Committee on Business and Industry and referred to the Committee on Natural Resources.

Motion carried.

SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)

Hall moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading under the rules of the previous sitting.

Motion carried.

Fagg in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

January 21, 1974

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That House Bill No. 202 be passed until Wednesday next.

That House Bill No. 213 do pass. (76-14)

That House Bill No. 298 do pass. (86-2)

That House Bill No. 300 do pass. (87-2)

That House Bill No. 412 be amended in the title of the second reading bill, page 2, line 1 before the word: "services", by striking the words: "support of", and inserting in lieu thereof the word: "authorizing", and

Be further amended in the title of the second reading bill, page 2, line 3, after the word: "facilities;", by inserting the following new material: "enabling counties to levy a tax for the support of services and facilities for the developmentally disabled, establishing developmental disability regions and regional councils;" (87-1)

Be further amended in Section 2, Subsection (2), of the second reading bill, page 2, line 24 after the word: "basis" by deleting the following material: "offering care to the developmentally disabled on an inpatient, outpatient, residential, clinical or other programmatic", and

As amended, do pass. (66-22)

That House Bill No. 612 be amended in Section 24, page 10, line 13 of the second reading bill by reinstating the original words "forum in which such claims may be heard and disposed of". (86-0), and

As amended, do pass. (89-0)

That House Bill No. 654 do pass. (81-7)

That House Bill No. 665 be passed for the day.

That House Bill No. 670 be amended on page 3, line 25 striking the words: "plus interest accrued". (78-0), and

And be further amended on page 4, line 6 after the word: "deposit", add a period and strike the words: "or interest accrued.", and

Be further amended on page 4, line 9 after the word: "deposit" strike the words "and accrued interest." (79-2), and

Be further amended on page 5, Section 8, line 13 after the word: "purposes" add the following language: "who requires a security deposit" (84-1), and

As amended, do pass. (56-35)

That House Bill No. 686 be passed until Wednesday next.

That House Bill No. 743 be passed until Wednesday next.

That House Bill No. 754 do pass. (78-8)

That House Bill No. 757 be amended in the title on page 1, line 8 of the original bill being page 1, line 8 of the second reading bill after the word: "first" by inserting the word: "and", and

Be further amended in the title on page 1, line 8 of the original bill, being page 1, line 8 of the second reading bill, after the word "second" by deleting the following material: ", and third", (46-36), and

Be further amended in the title on page 1, line 10 of the original bill, being page 1, line 10 of the second reading bill, after the word: "peace" by inserting the following material: "; and providing an effective date" (79-8), and

Be further amended on page 3 after the material on line 11 of the original bill, being page 3, after the material on line 11 of the second reading bill, by adding a new Section 2 to read as follows: "Section 2. This act is effective upon passage and approval." (75-7), and

Be further amended on page 1, line 21 of the original bill after the word: "first" by inserting the word: "and", and

Further amend page 1, line 21 of the original bill after the word: "second" by deleting the words and punctuation: ", and third" (59-28), and

As amended, do pass. (48-37)

That House Bill No. 762 do pass. (72-5)

That House Bill No. 764 do pass. (67-12)

That House Bill No. 794 do pass. (67-16)

That House Bill No. 812 do pass. (83-0)

That House Bill No. 823 do not pass. (48-38)

That House Bill No. 842 do pass. (83-0)

That House Bill No. 843 be amended in the title, line 10, page 1 by deleting the word: "five" and insert the word: "one", and

Further amend by deleting the figure: "\$1,500" and insert the figure: (\$1,100 (77-11), and

Further amend Section 1, page 1, line 21 by striking the underlined word: "five" and insert the underlined word: "one" and

Further amend by striking the underlined figure: "1,500" and insert the underlined figure "1,100" (79-8), and

As amended, do pass. (68-18)

Senate Amendments to House Bill No. 489 be concurred in. (86-0)

That the committee rise and report.

FAGG, Chairman

Report adopted.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 421 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bradley, Brand, Brown, Burnett, Campbell, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Fagg, Fasbender, Fleming, Forsgren, Galt, Glennen, Greely,

Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Menahan, Mercer, Murphy, Norman, Olson, Quilici, Regan, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmillier, Stephens, Stoltz, Swanberg, Tiereny, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 90.

Noes: None.

Excused: Ellerd, Flynn, Lucas, Prevost, Roberts, Towe. Total 6.

Absent or not voting: Bennetts, Castles, Holtz, Mehrens. Total 4.

House Bill No. 631 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bradley, Brand, Brown, Burnett, Campbell, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Fagg, Fasbender, Fleming, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Menahan, Mercer, Murphy, Norman, Olson, Quilici, Regan, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 91.

Noes: None.

Excused: Ellerd, Flynn, Lucas, Prevost, Roberts, Towe. Total 6.

Absent or not voting: Bennetts, Castles, Mehrens. Total 3.

House Bill No. 645 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Bardanouve, Barrett, Baucus, Bell, Bradley, Brand, Campbell, Clemow, Colberg, Cotton, Cox, Driscoll, East, Fagg, Fleming, Forsgren, Galt, Glennen, Greely, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Johnston, Jones, Kendall, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lockrem, Lombardi, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Menahan, Mercer, Murphy, Norman, Olson, Quilici, Regan, Rolfe, Schepens, Schye, Seifert, Smith, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 79.

Noes: Baeth, Brown, Burnett, Edland, Gunderson, Jacobsen, Kessner, Lien, Selstad, Shelden. Total 10.

Excused: Ellerd, Flynn, Lucas, Prevost, Roberts, Towe, Total 6.

Absent or not voting: Bennetts, Castles, Fasbender, Hall, Mehrens. Total 5.

House Bill No. 725 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bradley, Brand, Brown, Campbell, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Fagg, Fasbender, Fleming, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Menahan, Mercer, Murphy, Norman, Olson, Quilici, Regan, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Turman, Turner, Ulmer, Walborn, Watt, Yardley, Zimmer, Mr. Speaker. Total 88.

Noes: Burnett, Kolstad. Total 2.

Excused: Ellerd, Flynn, Lucas, Prevost, Roberts, Towe. Total 6.

Absent or not voting: Bennetts, Castles, Mehrens, Warfield. Total 4.

House Bill No. 745 failed by the following vote:

Ayes: Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bradley, Cotton, Driscoll, Fagg, Fasbender, Fleming, Flynn, Forsgren, Greely, Hall, Halvorson, Hodges, Jacobsen, Johnston, Kendall, Kimble, Lien, Lund, Manuel, Marbut, Murphy, Norman, Regan, Rolfe, Schepens, Shelden, Staigmillier, Stoltz, Swanberg, Turman, Turner, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 41.

Noes: Aageson, Ainsworth, Bell, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cox, East, Ellerd, Galt, Glennen, Gunderson, Hageman, Hager, Haines, H. Harper, R. Harper, Healy, Holtz, Hubing, Huennekens, Jones, Kessner, Kolstad, Kosena, Kvaalen, Laas, Lee, Lockrem, Lombardi, Lucas, Lundgren, Lynch, McKittrick, Mann, Marks, Menahan, Mercer, Olson, Quilici, Schye, Seifert, Selstad, Smith, Stephens, Tierney, Towe, Ulmer, Walborn. Total 53.

Paired: Flynn, Forsgren, Regan, Turman - Aye; Ellerd, Kvaalen, Lucas, Towe - Nay.

Excused: None.

Absent or not voting: Bennetts, Edland, Holmes, Mehrens, Prevost, Roberts. Total 6.

House Bill No. 752 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Fagg, Fasbender, Fleming, Forsgren, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lockrem, Lombardi, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Menahan, Mercer, Murphy, Norman, Olson, Quilici, Regan, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 90.

Noes: None.

Excused: Ellerd, Flynn, Lucas, Prevost, Roberts, Towe. Total 6.

Absent or not voting: Bennetts, Galt, Lien, Mehrens. Total 4.

Senate Amendments to House Bill No. 592 were concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Fagg, Fasbender, Fleming, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Menahan, Mercer, Murphy, Norman, Olson, Quilici, Regan, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 92.

Noes: None.

Excused: Ellerd, Flynn, Lucas, Prevost, Roberts, Towe. Total 6.

Absent or not voting: Bennetts, Mehrens. Total 2.

REPORTS OF STANDING COMMITTEES

January 21, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill correctly enrolled: House Resolution No. 33.

QUILICI, Chairman

January 21, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly printed: House Bills Nos. 763, 771 and 773.

QUILICI, Chairman

January 21, 1974

I have examined House Resolution No. 33 introduced by me and find the same to be correct.

BAETH

MESSAGES FROM THE OTHER HOUSE

January 21, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day on motion, duly carried, receded from their amendments to House Joint Resolution No. 4.

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

MOTIONS

Fagg, having voted on the prevailing side in failing to pass House Bill No. 717 on Second Reading on previous legislative day, moved that the House reconsider its action.

Motion carried, 53-43.

REPORTS OF STANDING COMMITTEES

January 21, 1974

Mr. Speaker: We, your Committee on Highways and Transportation, having had under consideration House Bill No. 232, respectfully report as follows: That House Bill No. 232 be amended as follows:

Be amended in the title, page 1, line 9, after the word "the" by striking words "Board of Equalization" and inserting in lieu thereof the words "Department of Revenue", and

Further amend in the body of the bill to recognize "update 73" generally substituting words "county treasurer" or "registrar of motor vehicles" for the words "department of revenue" or "board" where they appear in the current statute as directed by the bill, and

Further amend Section 69-3504, Subsection (b) of the current statute and amended to be Subsection (d) by the bill to reflect the following indicated name change:

(b) The numbering requirements of this act shall apply to motorboats operated by dealers, manufacturers or their employees as follow:

(1) A dealer or manufacturer may apply directly to the [board] registrar of motor vehicles for one (1) identifying number and one (1) or more certificates of number. A dealer's or manufacturer's identifying number shall be displayed on a dealer's or manufacturer's boat while the boat is operating for a purpose related to the buying, selling, or exchanging of the boat by the dealer.

(2) The application for a dealer's or manufacturer's identifying number shall include the name of the dealer or manufacturer and the business address of the dealer or manufacturer. Each dealer or manufacturer shall have one (1) identifying number assigned to his business.

(3) An application for dealer's or manufacturer's identifying number and certificate of number shall be accompanied by the following fees:

(A) for the identifying number, first certificate of number, and set of license decals, five dollars (\$5).

(B) for each additional certificate of number and set of license decals applied for in any application, two dollars (\$2).

(4) The [board] registrar of motor vehicles shall issue certificates of number awarded to a dealer or manufacturer in the same manner as provided in Section 69-3504 (a), except that no boat shall be described in the certificate and each certificate shall state that the identifying number has been awarded to a dealer or manufacturer. A dealer's or manufacturer's certificate of number expires on April 30 of the year for which it is issued.

(5) A dealer's or manufacturer's identifying number shall be displayed in the same manner as provided in Section 69-3504 (a) of this act except that the number may be temporarily attached, and that the last three (3) letters shall be "DLR" for dealer and "MFR" for manufacturer; these letters shall be included, respectively, in dealer or manufacturer identification numbers only.

(6) No person other than a dealer or manufacturer or an employee of a dealer or manufacturer shall display or use a dealer's or manufacturer's identifying number. A dealer's or manufacturer's identifying number may be displayed only on motorboats owned by the dealer or manufacturer.

(7) No dealer or manufacturer or employee of a dealer or manufacturer shall use a dealer's or manufacturer's identifying number for any purpose other than the purpose described in subsection (1) of this section.

(Material in brackets denotes cancelled type.)

Further amend Section 69-3504, Subsection (n) of the current statute and not appearing in the bill to reflect the following indicated name change:

(n) An owner of a motorboat must notify the [board] registrar of motor vehicles giving the motorboat's identifying number and the owner's name, within reasonable time, when the motorboat becomes documented as a vessel of the United States, is transferred, lost, destroyed, abandoned, frauded, or within sixty (60) days after change of state of principal use.

Further amend Section 69-3504.1, Subsection (1) of the current statute to indicate the following substantive change in addition to the changes directed by the bill:

"69-3504.1. License decals to be displayed. (1) Every Montana boat numbered in accordance with the provisions of Section 69-3504 shall be required to display license decals. For this purpose the state department of revenue, upon receipt [by said board] of a certificate of tax of personal property showing payment of tax on the motorboat for the current year, shall issue a pair of decals with all new certificates of number and renewals thereof."

Further amend Section 69-3504.1, Subsection (2) of the current statute to indicate the following substantive change in addition to the changes directed by the bill:

"(2) The decals shall be of a style and design prescribed by the state department of revenue, and shall be a color differing from the preceding year. The license decal will be serially numbered and have expiration date of April 30 of the appropriate year printed thereon. [The style and design shall be prescribed by the board.], and

As amended, do pass.

(Material in brackets denotes cancelled type.)

LAAS, Chairman

Report adopted.

January 21, 1974

Mr. Speaker: We, your Committee on Highways and Transportation, having had

under consideration House Bill No. 233, respectfully report as follows: That House Bill No. 233 be amended in the title, page 1, line 9, after the word: "the" by deleting the words: "Board of Equalization" and inserting in lieu thereof the words: "Department of Revenue", and

Be further amended in the body of the bill to recognize "update 73" generally substituting the words: "county treasurer" or "registrar of motor vehicles" for the words: "department of revenue" or "board" where they appear in the current statutes as directed by the bill, and

Be further amended in Section 53-1025, the current statute to reflect the following change in addition to "update 73" not clearly indicated by the bill due to the 1973 amendments:

"53-1025. Display of tax-paid decals on snowmobiles required— application and issuance. No snowmobile shall be operated by any person in the state of Montana unless there is displayed in a conspicuous place thereon a decal as visual proof that Montana personal property taxes have been paid thereon for the current year. Application for the issuance of such tax-paid decal shall be made to the [state department of revenue or the] county treasurer upon forms to be furnished for this purpose, which may be obtained from the department or at the county assessor's office in the county wherein the owner resides, and is to provide for substantially the following information: name, address, registration number, name of manufacturer, model number, make, horsepower, year of manufacture, statement evidencing assessment, payment of property tax, and such other information as the department may require. Said application shall be signed by the county treasurer and transmitted by him to the [department] registrar of motor vehicles accompanied by a fee of two dollars (\$2). All moneys collected from payment of such fees shall be turned over to the state treasurer and placed by him in the earmarked revenue fund to the credit of the state fish and game commission, with one dollar (\$1) designated for use in enforcing the purposes of this act and one dollar (\$1) designated for use in developing snowmobile facilities. Upon receipt of the application in approved form the [department] registrar of motor vehicles or county treasurer shall issue to the applicant a decal in the style and design prescribed by the [department] registrar of motor vehicles and of a different color than the preceding year, numbered numerically.", and

As amended, do pass.

(Material in brackets denotes cancelled type.)

LAAS, Chairman

Report adopted.

MOTIONS

Fasbender moved that the House Journal be corrected to reflect in all instances the title of the original House Bill numbered 1089.

Motion carried.

Fasbender moved that the House adjourn until 1:30 p.m., January 22, 1974.

Motion carried.

House adjourned.

LAAS, Speaker Pro Tempore

EDWIN A. SMITH, Chief Clerk

FOURTEENTH LEGISLATIVE DAY

Helena, Montana
January 22, 1974

House Chambers
Capitol Building

House convened at 1:30 p.m., Mr. Speaker in the Chair.

Invocation by the Chaplain.

Pledge of Allegiance to the Flag.

Roll call. All members present except Ellerd, Roberts, Clemow, Towe, Lucas, all excused; Brown, Cox, absent.

Quorum present.

Mr. Speaker: We, your Committee on Bills and Journal, having examined the daily journal for the Thirteenth Legislative Day, find the same to be correct.

QUILICI, Chairman

January 22, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills considered correctly engrossed: House Bill No. 213, House Bill No. 298, House Bill No. 300, House Bill No. 654, House Bill No. 754, House Bill No. 762, House Bill No. 764, House Bill No. 794, House Bill No. 812, House Bill No. 842.

QUILICI, Chairman

January 22, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: House Bill No. 577, House Bill No. 694.

QUILICI, Chairman

January 22, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill correctly enrolled: House Bill No. 479.

QUILICI, Chairman

January 22, 1974

I have examined House Bill No. 479 introduced by me and find the same to be correct.

HAGER

January 22, 1974

The following bill and resolution will be signed at adjournment on January 22, 1974, in the office of the Speaker of the House of Representatives: House Resolution No. 33, House Bill No. 479.

EDWIN A. SMITH, Chief Clerk
House of Representatives

January 21, 1974

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 67, respectfully report as follows: That House Bill No. 67 do not pass.

MEHRENS, Chairman

January 21, 1974

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 79, respectfully report as follows: That House Bill No. 79 do not pass.

MEHRENS, Chairman

January 21, 1974

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 319, respectfully report as follows: That House Bill No. 319 do not pass.

MEHRENS, Chairman

January 21, 1974

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 387, respectfully report as follows: That House Bill No. 387, do not pass.

MEHRENS, Chairman

January 21, 1974

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 661, respectfully report as follows: That House Bill No. 661 do pass.

MEHRENS, Chairman

Report adopted.

January 21, 1974

Mr. Speaker: We, your Committee on Agriculture, Livestock and Irrigation, having had under consideration House Bill No. 689, respectfully report as follows: That House Bill No. 689 do not pass.

FLEMING, Chairman

January 21, 1974

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 702, respectfully report as follows: That House Bill No. 702 do pass.

MEHRENS, Chairman

Report adopted.

January 21, 1974

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration House Bill No. 709, respectfully report as follows: That House Bill No. 709 do pass.

LOMBARDI, Chairman

Report adopted.

January 21, 1974

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 710, respectfully report as follows: That House Bill No. 710 do not pass.

MEHRENS, Chairman

January 21, 1974

Mr. Speaker: We, your Committee on Local Government, having had under consideration House Bill No. 753, respectfully report as follows: That House Bill No. 753 be amended on page 3, lines 22 and 23 of the introduced bill by striking the words: "as of the date hereof", and

Be further amended on page 3, line 23 of the introduced bill after the word: "effective" by inserting the word: "date", and

Be further amended on page 4, line 1 of the introduced bill by striking the words: "providing such service to" and inserting in lieu thereof the word: "of", and

Be further amended on page 4, line 2 of the introduced bill after the word: "service" by inserting the words: "of the city or town", and

As amended, do pass.

KOSENSA, Chairman

Report adopted.

January 21, 1974

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration House Bill No. 779, respectfully report as follows: That House Bill No. 779 be amended on page 1, lines 7 and 8 of the introduced bill by striking the words: "by adding the word 'non-elected' to the provision", and

As amended, do pass.

LOMBARDI, Chairman

Report adopted.

January 21, 1974

Mr. Speaker: We, your Committee on Local Government, having had under consideration House Bill No. 781, respectfully report as follows: That House Bill No. 781 do pass.

KOSENA, Chairman

Report adopted.

January 22, 1974

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 1049, respectfully report as follows: That House Bill No. 1049 be held in committee until action taken on House Bill No. 557.

HALL, Chairman

Report adopted.

January 21, 1974

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration House Joint Resolution No. 44, respectfully report as follows: That House Joint Resolution No. 44 do pass.

LOMBARDI, Chairman

Report adopted.

January 22, 1974

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Joint Resolution No. 72, respectfully report as follows: That House Joint Resolution No. 72 be indefinitely postponed.

HALL, Chairman

Report adopted.

In accordance with the 24 hour rule the adverse committee report on Senate Bill No. 318 was adopted by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Colberg, Cotton, Driscoll, East, Edland, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holtz, Hubing, Huennekens, Jacobsen, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lund, Lundgren, Lynch, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Rolfe, Schepens, Schye, Seifert, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Turman, Turner, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 85.

Noes: Tierney. Total 1.

Excused: Clemow, Ellerd, Lucas, Roberts, Towe. Total 5.

Absent or not voting: Cox, Fagg, Fasbender, Hall, Holmes, Johnston, McKittrick, Selstad, Ulmer. Total 9.

MESSAGES FROM THE GOVERNOR

January 22, 1974

Honorable Harold Gerke
Speaker of the House of Representatives
State Capitol
Helena, Montana

Dear Sir:

In accordance with Section 95-3231, Revised Codes of Montana, 1947, I am transmitting the enclosed list of acts of Executive Clemency, covering the period from January 1, 1973 to January 1, 1974.

Sincerely,

THOMAS L. JUDGE
Governor

Acts of Executive Clemency - Covering the Period

January 1, 1973 - January 1, 1974

Case No. 3034 - George A. McIntyre, who on the 8th day of June, 1953, was sentenced to natural life for the crime of Murder in the First Degree, was granted a commutation of sentence from natural life to time served as of December 1, 1973, on the 9th day of November, 1973.

Case No. 3033 - Edward L. Sheppard, who on the 23rd day of May, 1966, was sentenced to two years for the crime of Grand Larceny, was granted a full pardon and restoration of all civil rights on the 9th day of November, 1973.

Case No. 3032 - James Gregg McDonald, who on the 16th day of January, 1968, was sentenced to five years for the crime of Burglary in the First Degree and Burglary in the Second Degree, was granted a full pardon and restoration of all civil rights on the 9th day of November, 1973.

Case No. 3031 - Jay H. Wagner, who on the 29th day of July, 1964, was sentenced to one year and said sentence was suspended, for the crime of Forgery, was granted a full pardon and restoration of all civil rights on the 9th day of November, 1973.

Case No. 3030 - Charles O. McFarlane, who on the 6th day of March, 1969, was sentenced to three years and three months with credit for 106 days jail time, for the crime of First Degree Burglary, 2 counts, was granted a full pardon and restoration of all civil rights on the 9th day of November, 1973.

Case No. 3029 - Charles Osborne McFarlane, who on the 15th day of April, 1966, was sentenced to five years on each of six counts and one year on each of two counts, concurrently, for the Crime of Burglary in the First Degree - 4 counts, Grand Larceny - 2 counts, Taking and Using a Motor Vehicle Without Consent of the Owner - 2 counts, was granted a full pardon and restoration of all civil rights on the 9th day of November, 1973.

Case No. 3028 - David Alan Doran, who on the 26th day of October, 1970, was sentenced to five years for the Crime of Possession of Dangerous Drugs, was granted a full pardon and restoration of all civil rights on the 9th day of November, 1973.

Case No. 3027 - Ed Clement, who on the 20th day of November, 1968, was sentenced to one year with credit for 22 days county jail time, for the crime of Uttering and Delivering a Fraudulent Check, was granted a full pardon and restoration of all civil rights on the 9th day of November, 1973.

Case No. 3026 - Sterling Silver, who on the 8th day of April, 1966, was sentenced

to five years for the crime of Burglary in the First Degree, was granted a full pardon and restoration of all civil rights on the 9th day of November, 1973.

Case No. 3025 - Donald John Nichwander, who on the 25th day of April, 1961, was sentenced to five years and said sentence was suspended for the crime of Assault in the Second Degree, was granted a full pardon and restoration of all civil rights on the 9th day of November, 1973.

Case No. 3024 - Duncan Farquhar McDonald, Jr., who on the 30th day of November, 1940, was sentenced to \$5.00 fine and ninety days suspended, for the crime of Petit Larceny, was granted a full pardon and restoration of all civil rights on the 9th day of November, 1973.

Case No. 3023 - Raymond Eugene Schurch, who on the 2nd day of September, 1958, was sentenced to three years for the crime of Malicious Destruction of Property, was granted a full pardon and restoration of all civil rights on the 21st day of August, 1973.

Case No. 3022 - Robert Dimler, who on the 17th day of November, 1969, was sentenced to ten years on each count to run concurrently, with the last six years of each count suspended, for the crime of Robbery - two counts, was granted a commutation of sentence from ten years on each count to run concurrently with the last six years of each count suspended, to time served as of August 3, 1973, on the 17th day of September, 1973.

Case No. 3021 - Daniel Able Delorme, who on the 29th day of March, 1965 was sentenced to one year and six months for the crime of Receiving Stolen Property, was granted a full pardon and restoration of all civil rights on the 12th day of June, 1973.

Case No. 3020 - Daniel Delorme, who on the 4th day of May, 1951, was sentenced to two years for the crime of Grand Larceny, was granted a full pardon and restoration of all civil rights on the 12th day of June, 1973.

Case No. 3019 - Leonard Joseph Freestone, who on the 6th day of April, 1966 was sentenced to three years and said sentence was suspended for the crime of Manslaughter, was granted a full pardon and restoration of all civil rights on the 8th day of May, 1973.

Case No. 3018 - Perry S. Melton, who on the 11th day of December, 1933 was sentenced to 40 days in Cascade County Jail for Counts 1 and 2, and was ordered to serve a five year suspended jail term on probation plus pay \$500 for Count 3: (1) Illegal Sale of Brandy and Wine to an Indian; (2) Illegal sale of whiskey and gin to two Indians; (3) Attempt to Defraud by Evading Alcohol Taxes due the United States Government, was granted a full pardon and restoration of all civil rights on the 8th day of May, 1973.

Case No. 3017 - Donald R. Brittain, who on the 14th day of October, 1969, was sentenced to ten years less seven days jail time for the crime of Manslaughter, was granted a commutation of sentence from ten years less seven days jail time to time served as of April 10, 1973, on the 9th day of May, 1973.

Case No. 3016 - David Clinton Walters. Commutation of Sentence Denied on the 9th day of May, 1973.

Case No. 3015 - David Alan Doran, who on the 26th day of October, 1970 was sentenced to five years for the crime of Possession of Dangerous Drugs, was granted a commutation of sentence from five years to time served as of April 10, 1973, on the 9th day of May, 1973.

Case No. 3014 - James Henry Robinson, who on the 17th day of April, 1967, was sentenced to two years on each of three counts to run concurrently, for the crime of Uttering a Fraudulent Check - 3 counts, was granted a full pardon and restoration of all civil rights on the 11th day of April, 1973.

Case No. 3013 - James Henry Robinson, who on the 7th day of June, 1966, was sentenced to one year for the crime of Taking and Using an Automobile without the Consent of the Owner, was granted a full pardon and restoration of all civil rights on the 11th day of April, 1973.

Case No. 3012 - Dewey Heavy Runner, who on the 18th day of October, 1961, was sentenced to three years and said sentence was suspended, for the crime of Burglary in the First Degree, was granted a full pardon and restoration of all civil rights on the 11th day of April, 1973.

Case No. 3011 - Murlyn J. Burkstrand, who on the 14th day of April, 1962 was sentenced to four years for the crime of Assault in the Second Degree, was granted a full pardon and restoration of all civil rights on the 11th day of April, 1973.

MESSAGES FROM THE OTHER HOUSE

January 21, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bill was this day read third time, and passed, title and history agreed to and the bill is herewith transmitted to the House for concurrence:

Senate Bill No. 491, introduced by James

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

January 21, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was this day, on Committee report and duly adopted, recommended for nonconcurrence and the bill is herewith returned to the House:

House Bill No. 517, introduced by Swanberg

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following bill was introduced, read first time and referred to committee:

Senate Bill No. 491, introduced by James: A bill for an act entitled: "An act requiring that police officers be at least fifty (50) years old and serve twenty (20) years before they may be placed on the reserve list, and amending Section 11-1821, R.C.M. 1947." Referred to Committee on Local Government.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Fasbender moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading under the rules of the previous sitting.

Motion carried.

Menahan in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

January 22, 1974

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That House Bill No. 637 be passed for the day.

That House Bill No. 664 be passed for the day.

That House Bill No. 665 be passed for the day.

That House Bill No. 692 be amended in the title, line 9 of the introduced bill, page 1 by adding the following new material after the figures "1947": "and amending Section 35-129, R.C.M. 1947, as amended, to conform with the amendment to said Section 35-109." and further amend the key line, line 4, page 1 of the introduced bill by adding the figures: "35-129" (84-0), and

Be further amended by adding a new section to read as follows: "Section 2. Section 35-129, R.C.M. 1947, as amended, is amended to read as follows:

'35-129. Commissioners and powers of authority for a county. The commissioners of a housing authority created for a county may be appointed and removed by the board of county commissioners of the county in the same manner as the commissioners of a housing authority created for a city may be appointed and removed by the mayor, and except as otherwise provided herein, each housing authority created for a county and the commissioners thereof shall have the same functions, rights, powers, duties and limitations provided for housing authorities created for cities and the commissioners of such housing authorities; provided that for such purposes the term "mayor" or "council" as used in the housing authorities law and any amendments thereto shall be construed as meaning "board of county commissioners," the term "city clerk" as used therein shall be construed as meaning "county clerk," the term "city" as used therein shall be construed as meaning "county" and the term "ordinance" shall be construed as meaning "resolution" unless a different meaning clearly appears from the context.' (85-0), and

As amended, do pass. (70-16)

That House Bill No. 717 do pass. (48-45)

That House Bill No. 763 do pass. (85-0)

That House Bill No. 771 do pass. (90-1)

That House Bill No. 773 do pass. (89-0)

That House Bill No. 775 do pass. (78-8)

That House Bill No. 800 do pass. (91-3)

That Senate Bill No. 459 be concurred in. (84-6)

That the committee rise and report.

MENAHAN, Chairman

Report adopted.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 625 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Colberg, Cotton, Cox, Driscoll, East, Edland, Fagg, Fasbender, Fleming, Flynn, Forsgren, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 94.

Noes: None.

Excused: Clemow, Ellerd, Lucas, Roberts, Towe. Total 5.

Absent or not voting: Galt. Total 1.

House Bill No. 670 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Colberg, Cotton, Cox, Driscoll, Edland, Fagg, Fleming, Flynn, Forsgren, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosen, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 87.

Noes: Burnett, Castles, East, Hubing, Smith, Walborn. Total 6.

Excused: Clemow, Ellerd, Lucas, Roberts, Towe. Total 5.

Absent or not voting: Fasbender, Galt. Total 2.

House Bill No. 681 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bennetts, Bradley, Brand, Brown, Campbell, Colberg, Cotton, Cox, Driscoll, Edland, Fagg, Fasbender, Fleming, Flynn, Forsgren, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosen, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Prevost, Quilici, Regan, Schepens, Seifert, Shelden, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 82.

Noes: Bell, Burnett, Castles, East, Galt, Hubing, Olson, Rolfe, Schye, Selstad, Smith, Walborn. Total 12.

Excused: Clemow, Ellerd, Lucas, Roberts, Towe. Total 5.

Absent or not voting: Zimmer. Total 1.

House Bill No. 711 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Colberg, Cotton, Cox, Driscoll, East, Edland, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosen, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 93.

Noes: Hall. Total 1.

Excused: Clemow, Ellerd, Lucas, Roberts, Towe. Total 5.

Absent or not voting: Huennekens. Total 1.

House Bill No. 716 was passed by the following vote:

Ayes: Aageson, Baeth, Bardanouve, Baucus, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Colberg, Cotton, Driscoll, Edland, Fagg, Fasbender, Fleming, Flynn, Forsgren, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, R. Harper, Healy, Hodges, Holmes, Huennekens, Jacobsen, Johnston, Kessner, Kimble, Kolstad, Kosen, Kvaalen, Laas, Lee, Lien, Lombardi, Lund, Lynch, McKittrick, Mann, Mehrens, Menahan, Murphy, Norman, Prevost, Quilici, Regan, Schepens, Seifert, Shelden, Staigmiller, Stephens, Stoltz, Swanberg, Turman, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 66.

Noes: Ainsworth, Asbjornson, Barrett, Bell, Castles, Cox, East, Ellerd, Galt, Glennen, H. Harper, Holtz, Hubing, Jones, Kendall, Lockrem, Lundgren, Manuel, Marbut, Marks, Mercer, Olson, Rolfe, Schye, Selstad, Smith, Tierney, Turner, Ulmer, Walborn. Total 30.

Paired; Fasbender, Aye; Ellerd, Nay.

Excused: Clemow, Lucas, Roberts, Towe. Total 4.

Absent or not voting: None.

House Bill No. 742 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Colberg, Cotton, Cox, Driscoll, East, Edland, Fagg, Fasbender, Fleming, Flynn, Galt, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lombardi, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Quilici, Regan, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 87.

Noes: Burnett, Forsgren, Glennen, Lockrem, Mercer, Smith, Walborn. Total 7.

Excused: Clemow, Ellerd, Lucas, Roberts, Towe. Total 5.

Absent or not voting: Jacobsen. Total 1.

House Bill No. 756 was passed by the following vote:

Ayes: Baeth, Bardanouve, Baucus, Bell, Bradley, Brown, Campbell, Castles, Cotton, Driscoll, Fleming, Galt, Greely, Gunderson, Hageman, Halvorson, R. Harper, Healy, Hodges, Holtz, Hubing, Johnston, Jones, Kendall, Kessner, Kimble, Kosena, Laas, Lee, Lombardi, Lund, Lundgren, Lynch, McKittrick, Mann, Marbut, Marks, Murphy, Norman, Olson, Prevost, Quilici, Rolfe, Schye, Seifert, Selstad, Shelden, Staigmillier, Stephens, Stoltz, Swanberg, Turman, Turner, Walborn, Watt, Mr. Speaker. Total 56.

Noes: Aageson, Ainsworth, Asbjornson, Barrett, Bennetts, Brand, Burnett, Colberg, Cox, East, Fagg, Fasbender, Flynn, Forsgren, Glennen, Hager, Haines, Hall, H. Harper, Holmes, Huennekens, Jacobsen, Kolstad, Kvaalen, Lien, Lockrem, Manuel, Mehrens, Menahan, Mercer, Regan, Schepens, Smith, Tierney, Ulmer, Warfield, Yardley, Zimmer. Total 38.

Excused: Clemow, Ellerd, Lucas, Roberts, Towe. Total 5.

Absent or not voting: Edland. Total 1.

Senate Amendments to House Bill No. 489 were concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Colberg, Cotton, Cox, East, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 93.

Noes: Total 0.

Excused: Clemow, Ellerd, Lucas, Roberts, Towe. Total 5.

Absent or not voting: Driscoll, Edland. Total 2.

UNFINISHED BUSINESS

Without objection, the Speaker announced that House Bill No. 1092 would be taken from the Committee on Local Government and referred to the Committee on State Administration.

MOTIONS

Hodges, having voted on the prevailing side in failing to pass House Bill No. 823 on Second Reading on previous legislative day, moved that the House reconsider its action.

Motion carried.

Fasbender moved that House Bill No. 823 be taken from Second Reading and re-referred to the Committee on Labor and Employment Relations.

Motion carried.

REPORTS OF STANDING COMMITTEES

January 22, 1974

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 671, respectfully report as follows: That House Bill No. 671 be amended on page 11, Section 6, line 6 after the word: "of" by deleting the following material: "one hundred seventy-five dollars (\$175)" and inserting in lieu thereof the following material: "the minimum wage per", and

As amended, do pass.

BRAND, Chairman

Report adopted.

Fasbender moved that the House adjourn until 1:30 p.m., January 23, 1974.

Motion carried.

House adjourned.

HAROLD E. GERKE, Speaker

EDWIN A. SMITH, Chief Clerk

FIFTEENTH LEGISLATIVE DAY

Helena, Montana
January 23, 1974

House Chambers
Capitol Building

House convened at 1:30 p.m., Mr. Speaker in the Chair.

Invocation by the Chaplain.

Pledge of Allegiance to the Flag.

Roll call. All members present except Ellerd, Hageman, Marbut, all excused.

Quorum present.

Mr. Speaker: We, your Committee on Bills and Journal, having examined the daily journal for the Fourteenth Legislative Day, find the same to be correct.

QUILICI, Chairman

REPORTS OF STANDING COMMITTEES

Objection raised by Kvaalen on adverse committee report on House Bill No. 689. Referred to Second Reading this day.

January 22, 1974
reported January 23, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills and resolution correctly printed: House Joint Resolution No. 44, House Bill No. 661, House Bill No. 702, House Bill No. 709, House Bill No. 781.

QUILICI, Chairman

January 22, 1974

reported January 23, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills considered correctly engrossed: House Bill No. 763, House Bill No. 773.

QUILICI, Chairman

January 23, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills considered correctly engrossed: House Bill No. 717, House Bill No. 771, House Bill No. 775, House Bill No. 800.

QUILICI, Chairman

January 23, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly printed: House Bill No. 232, House Bill No. 233, House Bill No. 628, House Bill No. 789.

QUILICI, Chairman

January 23, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: House Bill No. 612, House Bill No. 757, House Bill No. 843.

QUILICI, Chairman

January 23, 1974

The following resolution will be signed at adjournment on January 23, 1974, in the office of the Speaker of the House of Representatives: Senate Joint Resolution No. 46.

EDWIN A. SMITH, Chief Clerk
House of Representatives

January 22, 1974

The following bill and resolution were signed in the office of the Speaker of the House of Representatives on January 22, 1974: House Bill No. 479, House Resolution No. 33.

EDWIN A. SMITH, Chief Clerk
House of Representatives

January 23, 1974

Mr. Speaker: We, your Committee on Taxation, having had under consideration House Bill No. 285, respectfully report as follows: That House Bill No. 285 do not pass.

WATT, Chairman

January 23, 1974

Mr. Speaker: We, your Committee on Taxation, having had under consideration House Bill No. 398, respectfully report as follows: That House Bill No. 398 do not pass.

WATT, Chairman

January 23, 1974

Mr. Speaker: We, your Committee on Taxation, having had under consideration House Bill No. 503, respectfully report as follows: That House Bill No. 503 do not pass.

WATT, Chairman

January 23, 1974

Mr. Speaker: We, your Committee on Taxation, having had under consideration House Bill No. 518, respectfully report as follows: That House Bill No. 518 do not pass.

WATT, Chairman

January 23, 1974

Mr. Speaker: We, your Committee on Taxation, having had under consideration House Bill No. 529, respectfully report as follows: That House Bill No. 529 do not pass.

WATT, Chairman

January 23, 1974

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Bill No. 568, respectfully report as follows: That House Bill No. 568 do not pass.

STAIGMILLER, Chairman

January 23, 1974

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 616, respectfully report as follows: That House Bill No. 616 do not pass.

HALL, Chairman

January 23, 1974

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Bill No. 623, respectfully report as follows: That House Bill No. 623 be amended in the title on page 1, line 7 of the bill, before the "R.C.M." by omitting the code "26-104", and inserting in lieu thereof the code "26-104.6", and

Be further amended after the enacting clause on page 1, line 11 through and including the material on page 12, line 3 by omitting all the material contained therein and inserting in lieu thereof the following new material:

"Section 1. Section 26-104.6, R.C.M. 1947, is amended to read as follows:

'26-104.6. Acquisition and sale of lands or waters by commission. (1) The commission may acquire by purchase, [condemnation], lease, agreement, gift, or devise, and may acquire easements upon lands or waters for the purposes listed in this subsection. The commission may acquire, develop, operate, and maintain acquired lands or waters:

- (a) For fish hatcheries, nursery ponds, or game farms;
 - (b) As lands or water suitable for game, bird, fish, or fur-bearing animal restoration, propagation, or protection;
 - (c) For public hunting, fishing, or trapping areas;
 - (d) To capture, propagate, transport, buy, sell, or exchange any game, bird, fish, fish eggs, or fur-bearing animals needed for propagation or stocking purposes, or to exercise control measures of undesirable species;
 - (e) To extend and consolidate by exchange, lands or waters suitable for these purposes.
- (2) The commission may dispose of lands and waters acquired by it on those

terms after that public notice, and without regard to other laws which provide for sale or disposal of state lands, and with or without reservation, as it considers necessary and advisable. Notice of sale describing the lands or waters to be disposed of shall be published once a week for three (3) successive weeks in a newspaper with general circulation printed and published in the county where the lands or waters are situated, or if no newspaper is published in that county then in any newspaper with general circulation in that county. The notice shall advertise for cash bids to be presented to the commission or the director within thirty (30) days from the date of the first publication. Each bid must be accompanied by a cashier's check or cash deposit in an amount equal to ten percent (10%) of the amount bid. The highest bid shall be accepted upon payment of the balance due within ten (10) days after mailing notice by registered mail to the highest bidder. If that bidder defaults on payment of the balance due, then the next highest bidders shall be similarly notified in succession until a sale is completed. Deposits shall be returned to the unsuccessful bidders except bidders defaulting after notification. The commission shall reserve the right to reject any bids which do not equal or exceed the full market value of the lands and waters as determined by the commission. The commission shall convey the lands and waters by deed without covenants of warranty, executed by the governor, or in his absence or disability by the lieutenant governor, attested by the secretary of state, and further countersigned by the chairman of the commission. The deed shall be attested by the secretary of the commission, but need not be acknowledged.", and

As amended, do pass.

(Material in brackets denotes cancelled type.)

STAIGMILLER, Chairman

Report adopted.

January 22, 1974

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 682, respectfully report as follows: That House Bill No. 682 be amended on page 1, Section 1, line 15 after the word: "away" by omitting the words: "makes an offer therefor," and inserting in lieu thereof the words: "offers to sell, barter, exchange or give away.", and

As amended, do pass.

LEE, Chairman

Report adopted.

January 22, 1974

Mr. Speaker: We, your Committee on Highways and Transportation, having had under consideration House Bill No. 696, respectfully report as follows: That House Bill No. 696 do not pass.

LAAS, Chairman

January 22, 1974

Mr. Speaker: We, your Committee on Highways and Transportation, having had under consideration House Bill No. 697, respectfully report as follows: That House Bill No. 697 do not pass.

LAAS, Chairman

January 23, 1974

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 772, respectfully report as follows: That House Bill No. 772 do pass.

HALL, Chairman

Report adopted.

January 23, 1974

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 809, respectfully report as follows: That House Bill No. 809 do not pass.

HALL, Chairman

January 23, 1974

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Bill No. 845, respectfully report as follows: That House Bill No. 845 do pass.

STAIGMILLER, Chairman

Report adopted.

January 22, 1974

Mr. Speaker: We, your Committee on Highways and Transportation, having had under consideration House Bill No. 872, respectfully report as follows: That House Bill No. 872 be amended on page 1, Section 1, line 17 by deleting the following material: "Sale shall be held at the office of the commission at the capitol, or in the county wherein the property is located.", and inserting in lieu thereof the following: "Sale shall be held in the county wherein the property is located unless the department finds it impractical in which case the sale will be held at the office of the department at the capitol.", and

As amended, do pass.

LAAS, Chairman

Report adopted.

January 23, 1974

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 879, respectfully report as follows: That House Bill No. 879 do not pass.

HALL, Chairman

January 22, 1974

Mr. Speaker: We, your Committee on Highways and Transportation, having had under consideration House Bill No. 979, respectfully report as follows: That House Bill No. 979 do not pass.

LAAS, Chairman

January 22, 1974

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration Joint Resolution No. 38, respectfully report as follows: That Joint Resolution No. 38 do pass.

LEE, Chairman

Report adopted.

Objection raised by Huennekens on adverse committee report on House Bill No. 568. Referred to Second Reading for tomorrow.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 67 was adopted by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Burnett, Campbell, Castles, Clemow, Colberg, Cox, East, Edland, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hager, Haines, Hall, Halvorson, Healy, Holmes, Hubing, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lund, Lundgren, Lynch, Mann, Manuel, Marks, Mehrens, Menahan, Mercer, Norman,

Olson, Quilici, Regan, Rolfe, Schepens, Schye, Seifert, Selstad, Smith, Staigmiller, Stoltz, Swanberg, Tierney, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 75.

Noes: Bennetts, Bradley, Cotton, Driscoll, H. Harper, R. Harper, Hodges, Holtz, Huennekens, McKittrick, Murphy, Roberts, Towe, Turman. Total 14.

Excused: Ellerd, Fasbender, Hageman, Lucas, Marbut, Prevost. Total 6.

Absent or not voting: Brand, Brown, Fagg, Shelden, Stephens. Total 5.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 79 was adopted by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Burnett, Campbell, Castles, Clemow, Colberg, Driscoll, East, Edland, Fleming, Flynn, Galt, Glennen, Greely, Gunderson, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lynch, McKittrick, Mann, Manuel, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Quilici, Regan, Roberts, Rolfe, Schye, Seifert, Selstad, Smith, Staigmiller, Stoltz, Swanberg, Tierney, Towe, Turman, Walborn, Watt, Yardley, Zimmer, Mr. Speaker. Total 79.

Noes: Ainsworth, Cotton, Cox, Forsgren, Holtz, Lund, Schepens, Turner, Ulmer. Total 9.

Excused: Ellerd, Fasbender, Hageman, Lucas, Marbut, Prevost. Total 6.

Absent or not voting: Brown, Fagg, Lundgren, Shelden, Stephens, Warfield. Total 6.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 319 was adopted by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Colberg, Cotton, Cox, Driscoll, East, Edland, Fleming, Forsgren, Galt, Glennen, Greely, Gunderson, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Jacobsen, Johnston, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lund, Lynch, McKittrick, Mann, Manuel, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Smith, Staigmiller, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 86.

Noes: None.

Excused: Ellerd, Fasbender, Hageman, Lucas, Marbut, Prevost. Total 6.

Absent or not voting: Clemow, Fagg, Flynn, Huennekens, Jones, Lundgren, Shelden, Stephens. Total 8.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 387 was adopted by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bradley, Brand, Brown, Burnett, Campbell, Castles, Colberg, Cotton, Cox, Driscoll, East, Fagg, Fleming, Forsgren, Galt, Glennen, Greely, Gunderson, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Quilici, Regan, Rolfe, Schepens, Schye, Seifert, Selstad, Smith, Staigmiller, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 87.

Noes: None.

Excused: Ellerd, Fasbender, Hageman, Lucas, Marbut, Prevost. Total 6.

Absent or not voting: Bennetts, Clemow, Edland, Flynn, Roberts, Shelden, Stephens. Total 7.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 710 was adopted by the following vote:

Ayes: Ageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Colberg, Cotton, Cox, Driscoll, East, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hager, Haines, Hall, Halvorson, H. Harper, Holtz, Hubing, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lombardi, Lund, Lundgren, Lynch, Mann, Manuel, Mehrens, Menahan, Mercer, Murphy, Norman, Quilici, Regan, Rolfe, Schepens, Schye, Seifert, Selstad, Smith, Staigmilller, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 75.

Noes: Bell, R. Harper, Healy, Hodges, Holmes, Lockrem, Olson, Ulmer, Zimmer. Total 9.

Excused: Ellerd, Fasbender, Hageman, Lucas, Marbut, Prevost. Total 6.

Absent or not voting: Baucus, Clemow, Edland, Fagg, Huennekens, McKittrick, Marks, Roberts, Shelden, Stephens. Total 10.

MESSAGES FROM THE OTHER HOUSE

January 22, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bill was this day read three several times, and passed, title and history agreed to, and the bill is herewith transmitted to the House for concurrence:

Senate Bill No. 418 introduced by Harrison

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

January 22, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day read three several times, and passed, title and history agreed to, and the bills are herewith transmitted to the House for concurrence:

Senate Bill No. 492 introduced by James

Senate Bill No. 510 introduced by Bollinger

Senate Bill No. 534 introduced by Mathers and Bertsche

Senate Bill No. 535 introduced by Bertsche and Himsl

Senate Bill No. 550 introduced by McGowan, Turnage, et al

Senate Bill No. 558 introduced by Klindt, Cochrane and Moritz

Senate Bill No. 559 introduced by Klindt, Cochrane and Moritz

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

January 22, 1974

Mr. President:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day on Committee report, not concurred in, report adopted, and the bills are herewith returned to the House:

House Bill No. 58 introduced by Lockrem

House Bill No. 192 introduced by Brand

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

MOTIONS

Hall moved that House Bill No. 977 be taken from the Committee on Local Government and referred to the Committee on Judiciary.

Motion carried.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following bills were introduced, read first time and referred to committees:

Senate Bill No. 418, introduced by Harrison: A bill for an act entitled: "An act suspending the status of the Sun River preserve as a game preserve until July 1, 1976; and providing an effective date." Referred to Committee on Fish and Game.

Senate Bill No. 492, introduced by James: A bill for an act entitled: "An act changing the eligibility of firemen for retirement benefits, and amending Sections 11-1925, 11-1926, and 11-1927, R.C.M. 1947." Referred to Committee on Local Government.

Senate Bill No. 510, introduced by Bollinger: A bill for an act entitled: "An act to repeal Chapter 1 of The Laws of 1973 relating to legislative employee duties and salaries; and providing an effective date." Referred to Committee on Legislative Administration.

Senate Bill No. 534, introduced by Mathers, Bertsche: A bill for an act entitled: "An act amending Section 84-1508.2, R.C.M. 1947, to automatically extend the statute of limitations on Montana corporation tax returns when a written agreement is made extending the federal statute of limitations, and providing an effective date." Referred to Committee on Taxation.

Senate Bill No. 535, introduced by Bertsche, Himsl: A bill for an act entitled: "An act amending Section 75-7121, R.C.M. 1947, to permit school districts within the same county to combine and cooperate for the purpose of preparing bond issues and negotiating them for sale." Referred to Committee on Education.

Senate Bill No. 550, introduced by McGowan, Turnage, Romney, Moore: A bill for an act entitled: "An act to authorize and direct the Montana Department of Revenue on behalf of the Legislative Assembly to transfer to the public school permissive levy deficiency fund the tax collected in excess of the fully paid and discharged indebtedness of the Montana State Hospital for the Insane bonds of the State of Montana and of the Montana State Training School bonds of the State of Montana; and providing an effective date." Referred to Committee on Finance and Claims.

Senate Bill No. 558, introduced by Klindt, Cochrane, Moritz: A bill for an act entitled: "An act amending the Montana Strip Mining and Reclamation Act by deleting the word "clay" in Section 50-1036, R.C.M. 1947; amending the Open Cut Mining Act by inserting in Sections 50-1502, 50-1503, and 50-1504, R.C.M. 1947, the word "clay" as one of the substances covered by said act; and providing an effective date." Referred to Committee on Natural Resources.

Senate Bill No. 559, introduced by Klindt, Cochrane, Moritz: A bill for an act entitled: "An act to place the mining of scoria under the administrative jurisdiction of the Open Cut Mining Act by amending Sections 50-1502, 50-1503, and 50-1504, R.C.M. 1947." Referred to Committee on Natural Resources.

SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)

Hall moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading under the rules of the previous sitting.

Motion carried.

Ulmer in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

January 23, 1974

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That House Bill No. 202 do pass. (71-23)

That House Bill No. 637 do pass. (93-0)

That House Bill No. 661 do pass. (82-9)

That House Bill No. 664 be amended in the title, page 1, line 7 of the second reading bill, following the word: "police" by striking the word: "pension", and

Further amend the title, page 1, line 9 following the word: "police" by striking the word: "pension" and inserting in lieu thereof the word: "reserve", and

Further amend the title, page 1, line 10 by striking the following words: "municipal audit division of the", (88-0), and

Further amend Section 1, page 1, lines 18 and 19 following the figures and punctuation: "11-1829." by striking the words, dashes and punctuation: "Trustees' duties — auditing of fund — investment — report on retirement of policemen." and inserting in lieu thereof the words: "Actuarial valuation and investment of police reserve funds.", and

Further amend Section 1, page 1, lines 19 through 23 following the word: "policemen." by striking those lines in their entirety, and

Further amend Section 1, Subsection (2), page 2, lines 14 through 25, and page 3, lines 1 through 5 by striking Subsection (2) in its entirety and inserting in lieu thereof the following new Subsection (1):

"(1) The city treasurer shall submit to the department of intergovernmental relations before October 1 in each odd-numbered year all information requested by the department of intergovernmental relations necessary to complete an actuarial valuation of the police reserve funds. This valuation is to be prepared by a qualified actuary selected by the department of intergovernmental relations. This valuation shall consider the actuarial soundness of the police reserve funds for the two (2) preceding fiscal years. A qualified actuary is a member of the American Academy of Actuaries or of any organization deemed by the department of intergovernmental relations to have similar standards. In each fiscal year, which an actuarial valuation is prepared, the department of intergovernmental relations shall submit to the state auditor a request for payment of the expense incurred in securing the actuarial valuation. The expense may not exceed six thousand dollars (\$6,000) in any fiscal year and the state auditor shall make payment to the actuary designated in the request.", and

Further amend Section 1, Subsection (3), page 3, line 6 by striking the figure: "(3)" and inserting in lieu thereof the figure: "(2)", and

Further amend Section 1, Subsection (3), page 3, line 6 following the words: "monies in the" by striking the words: "disability and pension" and inserting in lieu thereof the words: "police reserve", and

Further amend Section 1, Subsection (3) (b), page 3, line 11 following the word: "the" by striking the word: "board" and inserting in lieu thereof the words: "city treasurer", and

Further amend Section 1, Subsection (4), page 3, line 15 by striking the figures: "(4)" and inserting in lieu thereof the figure: "(3)", and

Further amend Section 1, Subsection (4), page 3, lines 15 and 16 by striking the words: "held by a board of trustees", and inserting in lieu thereof the words: "of the police reserve fund", and

Further amend Section 1, Subsection (5), pages 3 and 4, lines 22 through 25 on page 3 and line 1 on page 4 by striking Subsection (5) in its entirety, (86-1), and

As amended, do pass. (83-9)

That House Bill No. 665 be passed for the day.

That House Bill No. 686 do pass. (84-9)

That House Bill No. 689 do not pass. (58-34)

That House Bill No. 702 do pass. (85-0)

That House Bill No. 709 do pass. (76-17)

That House Bill No. 743 do pass. (91-0)

That House Bill No. 781 do pass. (81-11)

That House Joint Resolution No. 44 do pass. (78-12)

That the committee rise and report.

ULMER, Chairman

Report adopted.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 213 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bradley, Castles, Colberg, Cotton, Cox, Driscoll, East, Fagg, Fleming, Flynn, Forsgren, Glennen, Greely, Gunderson, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Kessner, Kimble, Kolstad, Kosena, Laas, Lee, Lien, Lucas, Lund, Lynch, McKittrick, Mann, Manuel, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Shelden, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Watt, Yardley, Zimmer, Mr. Speaker. Total 73.

Noes: Brand, Burnett, Campbell, Clemow, Galt, Holtz, Jones, Kendall, Kvaalen, Lockrem, Lundgren, Olson, Seifert, Selstad, Smith, Ulmer, Walborn, Warfield. Total 18.

Excused: Ellerd, Hageman, Marbut. Total 3.

Absent or not voting: Bennetts, Brown, Edland, Fasbender, Lombardi, Schye. Total 6.

House Bill No. 298 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cox, Driscoll, East, Edland, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lucas, Lund, Lynch, McKittrick, Mann, Manuel, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 89.

Noes: Burnett, Cotton, Lockrem, Smith. Total 4.

Excused: Ellerd, Hageman, Marbut. Total 3.

Absent or not voting: Bennetts, Holtz, Lombardi, Lundgren. Total 4.

House Bill No. 300 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Kendall, Kessner, Kimble, Kolstad, Kosen, Kvaalen, Lee, Lien, Lucas, Lund, Lynch, McKittrick, Mann, Manuel, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Rolfe, Schepens, Seifert, Selstad, Shelden, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 85.

Noes: Burnett, Lockrem, Schye. Total 3.

Excused: Ellerd, Hageman, Marbut. Total 3.

Absent or not voting: Bennetts, Holtz, Jones, Laas, Lombardi, Lundgren, Roberts, Smith, Walborn. Total 9.

House Bill No. 577 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosen, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Watt, Yardley, Zimmer, Mr. Speaker. Total 95.

Noes: Burnett. Total 1.

Excused: Ellerd, Hageman, Marbut. Total 3.

Absent or not voting: Warfield. Total 1.

House Bill No. 654 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Fagg, Fasbender, Fleming, Forsgren, Glennen, Greely, Gunderson, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosen, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Shelden, Smith, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 90.

Noes: Burnett, Selstad. Total 2.

Excused: Ellerd, Hageman, Marbut. Total 3.

Absent or not voting: Bennetts, Flynn, Galt, Hodges, Staigmillier. Total 5.

House Bill No. 694 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Barrett, Baucus, Bell, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Cotton, Cox, Driscoll, East, Edland, Fagg, Fasbender, Fleming, Forsgren, Galt, Glennen, Greely, Gunderson, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes,

Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmilller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 92.

Noes: None.

Excused: Ellerd, Hageman, Marbut. Total 3.

Absent or not voting: Bardanouve, Bennetts, Colberg, Flynn, Lombardi. Total 5.

House Bill No. 754 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Baucus, Bell, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Driscoll, East, Edland, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marks, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmilller, Stephens, Stoltz, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 88.

Noes: Barrett, Cox, Hall, Regan, Tierney. Total 5.

Excused: Ellerd, Hageman, Marbut. Total 3.

Absent or not voting: Bennetts, Burnett, Mehrens, Swanberg. Total 4.

House Bill No. 762 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Schepens, Schye, Seifert, Shelden, Staigmilller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 89.

Noes: Burnett, Hager, Lockrem, Rolfe, Selstad. Total 5.

Excused: Ellerd, Hageman, Marbut. Total 3.

Absent or not voting: Bennetts, Marks, Smith. Total 3.

House Bill No. 763 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmilller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 97.

Noes: None.

Excused: Ellerd, Hageman, Marbut. Total 3.

Absent or not voting: None.

House Bill No. 764 was passed by the following vote:

Ayes: Aageson,, Asbjornson, Baeth, Barrett, Baucus, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Colberg, Cotton, Driscoll, Edland, Fagg, Fasbender, Fleming, Flynn, Galt, Greely, Gunderson, Hager, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosen, Kvaalen, Laas, Lee, Lien, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marks, Mehrens, Menahan, Murphy, Norman, Prevost, Quilici, Regan, Roberts, Schepens, Siefert, Shelden, Staigmilller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 78.

Noes: Bell, Burnett, Cox, East, Forsgren, Glennen, Haines, Hubing, Mercer, Rolfe, Schye, Selstad, Smith, Walborn. Total 14.

Excused: Ellerd, Hageman, Marbut. Total 3.

Absent or not voting: Ainsworth, Bardanouve, Clemow, Lockrem, Olson. Total 5.

House Bill No. 773 was passed by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Bardnaouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosen, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmilller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 96.

Noes: None.

Excused: Ellerd, Hageman, Marbut. Total 3.

Absent or not voting: Ainsworth. Total 1.

House Bill No. 794 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brown, Burnett, Campbell, Castles, Clemow, Cotton, Cox, Driscoll, East, Edland, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kimble, Kolstad, Kosen, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lynch, Mann, Manuel, Marks, Menahan, Mercer, Murphy, Norman, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Shelden, Smith, Staigmilller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 87.

Noes: Colberg, Healy, Kessner, Lundgren, McKittrick, Mehrens, Olson, Selstad, Turner. Total 9.

Excused: Ellerd, Hageman, Marbut. Total 3.

Absent or not voting: Brand. Total 1.

House Bill No. 812 was passed by the following vote:

Ayes: Aageson, Ainsworth, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosen, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens,

Schye, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 95.

Noes: None.

Excused: Ellerd, Hageman, Marbut. Total 3.

Absent or not voting: Asbjornson, Holmes. Total 2.

House Bill No. 842 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Fagg, Fasbender, Fleming, Flynn, Forsgren, Glennen, Greely, Gunderson, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lundgren, Lynch, McKittrick, Mann, Manuel, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 94.

Noes: Lund. Total 1.

Excused: Ellerd, Hageman, Marbut. Total 3.

Absent or not voting: Galt, Schye. Total 2.

Senate Bill No. 459 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardnaouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 97.

Noes: None.

Excused: Ellerd, Hageman, Marbut. Total 3.

Absent or not voting: None.

REPORTS OF STANDING COMMITTEES

January 23, 1974

Mr. Speaker: We, your Committee on Labor and Employment Relations, having had under consideration House Bill No. 915, respectfully report as follows: That House Bill No. 915 do pass.

McKITTRICK, Chairman

Report adopted.

January 23, 1974

Mr. Speaker: We, your Committee on Labor and Employment Relations, having had under consideration House Bill No. 925, respectfully report as follows: That House Bill No. 925 do pass.

McKITTRICK, Chairman

Report adopted.

January 23, 1974

Mr. Speaker: We, your Committee on Labor and Employment Relations, having had under consideration House Bill No. 928 respectfully report as follows: That House Bill No. 928 be amended on page 1, Section 1, Subsection 2, line 15 after the word: "than" by omitting the word and figure: "eight (8)" and inserting in lieu thereof the word and figure: "two (2)", and

As amended, do pass.

McKITTRICK, Chairman

Report adopted.

Objection raised by Kendall on adverse committee report on House Bill No. 879. Referred to Second Reading.

MOTIONS

Yardley moved that House Bill No. 1084 be taken from the Committee on Labor and Employment Relations and referred to the Committee on Taxation.

Motion carried.

Fasbender moved that the House adjourn until 1:30 p.m., January 24, 1974.

Motion carried.

House adjourned.

HAROLD E. GERKE, Speaker

EDWIN A. SMITH, Chief Clerk

SIXTEENTH LEGISLATIVE DAY

Helena, Montana
January 24, 1974

House Chambers
Capitol Building

House convened at 1:30 p.m., Mr. Speaker in the Chair.

Invocation by the Chaplain.

Pledge of Allegiance to the Flag.

Roll call. All members present except Ellerd, Flynn, Greely, Mercer and Shelden, all excused.

Quorum present.

Mr. Speaker: We, your Committee on Bills and Journal, having examined the daily journal for the Fifteenth Legislative Day, find the same to be correct.

QUILICI, Chairman

REPORTS OF STANDING COMMITTEES

January 24, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills and resolution considered correctly engrossed: House Bill No. 202, House Bill No. 637, House Bill No. 661, House Bill No. 702, House Bill No. 709, House Bill No. 743, House Bill No. 781, House Joint Resolution No. 44.

QUILICI, Chairman

January 24, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: House Bill No. 672, House Bill No. 692.

QUILICI, Chairman

January 23, 1974
reported January 24, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills and resolution correctly printed: House Bill No. 772, House Bill No. 845, House Joint Resolution No. 38.

QUILICI, Chairman

January 24, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly printed: House Bill No. 915, House Bill No. 925, House Bill No. 778, House Bill No. 753, House Bill No. 779.

QUILICI, Chairman

January 24, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following resolution correctly enrolled: House Joint Resolution No. 4.

QUILICI, Chairman

January 24, 1974

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bill No. 479, do hereby report that said bill, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day, at the hour of 8:10 o'clock, A.M., delivered to the Governor for his approval.

QUILICI, Chairman

January 24, 1974

I have examined House Joint Resolution No. 4 introduced by me and find the same to be correct.

REGAN

January 23, 1974

The following resolution was signed in the office of the Speaker of the House of Representatives on January 23, 1974: Senate Joint Resolution No. 46

EDWIN A. SMITH, Chief Clerk
House of Representatives

January 24, 1974

The following resolution will be signed at adjournment on January 24, 1974, in the office of the Speaker of the House of Representatives: House Joint Resolution No. 4

EDWIN A. SMITH, Chief Clerk
House of Representatives

January 24, 1974

Mr. Speaker: We, your Committee on Finance and Claims, having had under consideration House Bill No. 457, respectfully report as follows: That House Bill No. 457 do not pass.

BARDANOUE, Chairman

January 23, 1974

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 557, respectfully report as follows: That House Bill No. 557 be amended on page 1, lines 15, 16, and 17 of the introduced bill by striking all of lines 15, 16, and 17 in their entirety and inserting in lieu thereof the material: "providing for the termination of joint tenancies and life estates", and

Be further amended by striking all the material after the enacting clause and inserting in lieu thereof the material set forth after the enacting clause in the bill as approved by the Interim Joint Committee on Judiciary which is set forth in Exhibit A attached hereto and by this reference made a part hereof, and

That said Exhibit A attached hereto be amended as follows:

That said Exhibit A be amended on page 16, Section 1-308, line 23 after the words: "by the" by inserting the new material: "statutes and", and

That said Exhibit A be amended on page 115, Section 3-708, line 13 after the word: "will" by inserting the new material: "and subject to the provisions of Section 91-3205, R.C.M. 1947," and

That said Exhibit A be amended on page 152, Section 3-914, Subsection (1), line 4 after the word: "fund" by inserting the new material: "as provided in chapter 5, title 91, R.C.M. 1947, as amended", and

That said Exhibit A attached hereto be further amended as follows:

That said Exhibit A be amended on page 172, Section 3-1205, line 14 after the word and punctuation: "listed," by inserting the new material: "or for any other reason a determination of inheritance tax is required," and

That said Exhibit A be further amended on page 172, Section 3-1205, line 16 after the word: "created" by inserting the new material: "or other interest requiring determination of inheritance tax came into being", and

That said Exhibit A be further amended on page 172, Section 3-1205, line 18 after the word: "estate" by inserting the new material: "or other property interest requiring the determination of inheritance tax", and

That said Exhibit A be further amended on page 172, Section 3-1205, line 20 after the words: "joint tenancy" by deleting the material: "and life estate" and inserting in lieu thereof the new material: ", life estate or other property interest requiring a determination of inheritance tax", and

That said Exhibit A be further amended on page 172, Section 3-1205, Subsection (2), line 23 after the word: "estate" by inserting the new material: "or requires the determination of inheritance tax, or any combination thereof", and

That said Exhibit A be further amended on page 172, Section 3-1205, Subsection (2), line 25 after the word "estate" by inserting the new material: "or requires only the determination of inheritance tax", and

That said Exhibit A be further amended on page 173, Section 3-1205, Subsection (2), line 2 after the word: "thereof" by inserting the new material: "or persons entitled to an interest therein", and

That said Exhibit A be further amended on page 173, Section 3-1205, Subsection (2), line 12 after the word "terminated" by inserting the new material: "or other interest in property requiring determination of inheritance tax is properly vested", and

That said Exhibit A be further amended on page 173, Section 3-1205, Subsection (2), line 14 after the word: "possessors" by inserting the new material: ", or persons entitled to an interest therein", and

That said Exhibit A be further amended on page 173, Section 3-1205, Subsection (3), line 18 after the word: "property" by inserting the new material: "or property requiring only the determination of inheritance tax", and

That said Exhibit A be further amended on page 174, Section 3-1205, Subsection (II), line 1 after the word: "property" by inserting the new material: "or property requiring only the determination of inheritance tax", and

That said Exhibit A be further amended on page 174, Section 3-1205, Subsection (II), line 4 after the word: "property" by inserting the new material: "or property requiring only the determination of inheritance tax", and

That said Exhibit A be further amended on page 174, Section 3-1205, Subsection

(II), line 5 after the word: "thereof" by inserting the new material: "or persons entitled to an interest therein", and

That said Exhibit A be further amended on page 174, Section 3-1205, Subsection (B), line 7 after the word: "estate" by inserting the new material: "or requiring only the determination of inheritance tax", and

That said Exhibit A be further amended on page 174, Section 3-1205, Subsection (B), line 10 after the word: "tenancy" by striking the material: "property" and inserting in lieu thereof the new material: "or life estate property which requires more than just the determination of inheritance tax", and

That said Exhibit A be further amended on page 174, Section 3-1205, Subsection (C), line 15 after the word: "tenancy" by deleting the material: "and not held as a life estate" and inserting in lieu thereof the new material: "or as a life estate and not held as property requiring only a determination of inheritance tax", and

That said Exhibit A be further amended on page 174, Section 3-1205, Subsection (C), line 20 after the word: "property" by inserting the new material: "or property requiring determination of inheritance tax", and

That said Exhibit A be further amended on page 174, Section 3-1205, Subsection (C), line 21 after the word: "thereof" by inserting the new material: "or persons entitled to an interest therein", and

That said Exhibit A be further amended on page 174, Section 3-1205, Subsection (C), line 23 after the word: "estate" by inserting the new material: "or vesting of the property interest", and

That said Exhibit A attached hereto be further amended on page 249, Section 2, line 8 by deleting all of Section 2 thereof and inserting in lieu thereof the material set forth in Exhibit B attached hereto and by this reference made a part hereof, and

That Exhibit A attached hereto be further amended by adding thereto, at the end thereof, new sections to be numbered Sections 4 through 20 inclusive and reading as follows: "Section 4. There is hereby enacted a new section, to be placed in Chapter 44, Title 91, R.C.M. 1947, reading as follows:

Personal representative to furnish information - department to determine tax - appeal. The personal representative, or should the personal representative fail to do so, any interested person, shall make application to the state department of revenue for determination of any tax due upon the estate of a decedent. The applicant shall furnish to the department of revenue the inventory and appraisement required by section 3-706 of this act and of any supplemental inventory under section 3-707 of this act together with a statement, under oath or affirmation, of, any property owned by the decedent at the time of his death situated outside of this state and without its jurisdiction, and, further, shall furnish the department with the final accounting of such personal representative as provided by section 3-714 of this act. If the decedent died testate, the personal representative shall likewise furnish the department with a certified copy of the last will of the decedent. If the decedent died intestate, the personal representative shall provide the department with a sworn statement setting forth the names ages, and residences of the heirs at law of decedent. In all cases, the personal representative shall set forth the proportion of the entire estate inherited by or devised to each of said persons, and the relation, if any, which each devisee, heir, or transferee sustained to the decedent or person from whom the transfer was made. The information so provided shall not be binding upon the department in case it believes the same to be erroneous or untrue. From the information so furnished the department and such other information as it may be able to obtain with reference thereto, the department shall, with reasonable diligence, proceed to ascertain and determine the amount of tax, if any, due under the provisions of the inheritance tax laws of the state of Montana, and a copy of such determination shall be mailed to the personal representative and to the clerk of the appropriate district court. If no tax is due, the department shall likewise so inform the clerk of district court and the personal representative. Upon receipt of notice from the department of the amount of tax due or that no tax is due, the personal representative shall notify all persons having a beneficial interest in said estate as promptly as may be. Should the per-

sonal representative or any person affected by the determination of inheritance tax feel aggrieved by the department's determination, he may, within sixty (60) days after the filing of the copy of such determination with the clerk of district court, appeal the determination to the appropriate district court, by serving upon the department his objections to such determination and by filing such notice, after so serving the same, in the office of the clerk of such court. The court shall set a day for hearing such appeal upon ten (10) days' notice to all interested parties, and at the time and place set shall hear the appeal, upon all papers and records which may be properly presented before it, and shall as soon as possible thereafter issue its order determining the amount of such inheritance tax, if it finds a tax to be due.

Section 5. Section 91-4417, R.C.M. 1947, as amended, is amended to read as follows:

'91-4417. [(40400.7)] Powers of representative in collection and payment of tax-collection from [legatees or distributees] devisees. Every [executor, administrator or trustee] personal representative shall have full power to sell so much of the property of the decedent as will enable him to pay such tax in the same manner as he might be entitled by law to do for the payment of the debts of the testator or intestate. Any such [administrator, executor, or trustee] personal representative, having in charge or in trust any [legacy or] property for distribution, subject to such tax, shall deduct the tax therefrom; and within thirty days therefrom shall pay over the same to the county treasurer, as herein provided. If such [legacy or] property be not in money, he shall collect the tax thereon upon the appraised value thereof, from the person entitled thereto. He shall not deliver or be compelled to deliver any specific [legacy on] property subject to tax under this law, to any person until he shall have collected the tax thereon. If any such [legacy] devise shall be charged upon or payable out of real property, the heir or devisee shall deduct such tax therefrom and pay it to the [administrator, executor or trustee] personal representative, and the tax shall remain a lien or charge on such real property for the period provided in section 91-4415, and the payment thereof shall be enforced by the [executor, administrator, or trustee] personal representative, in the same manner that payment of the [legacy] devise might be enforced, or by the attorney general under section 91-4440. If any such [legacy] devise shall be given in money to any such person for a limited period, the [administrator, executor, or trustee] personal representative shall retain the tax upon the whole amount, but if it be not in money, and agreement as to apportionment cannot be reached by him with the devisee or devisees affected, he shall make application to the appropriate court [having jurisdiction of an accounting by him] to make an apportionment if the case require it, of the sum to be paid into the hands of such [legatees] devisees, and for such further order relative thereto as the case may require[.], such application being treated as a supervised proceeding.'

Section 6. Section 91-4423, R.C.M. 1947, as amended is hereby amended to read as follows:

'91-4423. (10400.13) Jurisdiction of district court [notice to department of revenue required before hearing]. The district court of every county of the state having jurisdiction to grant letters testamentary or of administration upon the estate of a decedent whose property is chargeable with any tax under the inheritance tax laws, or to appoint a trustee of such estate or any part thereof, or to give ancillary letter thereon, shall have jurisdiction to hear and determine all questions arising under the provisions of the inheritance tax laws, and to do any act in relation thereto authorized by law to be done by a district court in other matters or proceedings coming within its jurisdiction; and if two or more district courts shall be entitled to exercise any such jurisdiction, the district court first acquiring jurisdiction hereunder, shall retain the same to the exclusion of every other district court.

[Before any decree determining inheritance tax in any estate shall be made by the court, the court shall require proof that due notice has been given to the state department of revenue before the hearing upon the petition to have inheritance tax determined, whether such hearing be at the time of the hearing on the final account or otherwise; and the court shall likewise require proof that a copy of such petition has been given to the department not later than the time of giving the notice; and, before the time fixed in said notice, said department shall cause to be filed, with the clerk of the district court, a certificate signed by the department

stating that the amount of the inheritance tax determined to be due the state of Montana as appearing in the report or petition, has been properly computed therein or, if no tax is due, such certificate shall so state; and, if the department shall object to the amount of the tax so computed, the department shall, before the time fixed for the hearing, file with the clerk of the court its written objections thereto, setting forth therein the nature of the objections. If neither such certificate nor objections shall have been filed at the time fixed for the hearing, it shall be conclusively presumed that the department concurs in the amount so computed.]"

Section 7. Section 91-4430, R.C.M. 1947, as amended, is amended to read as follows:

'91-4430. Notice of hearing. Notice of such hearing to determine the inheritance tax shall be given [in the same manner and may be included in the notice of hearing the administration account as provided by law.] in the manner and for the time provided in section 1-401 of this act, to all interested persons and to the department of revenue.

A copy of the application for exclusion of any property to avoid inheritance tax thereon shall be given with notice of hearing thereof, and notice of any such hearing shall be mailed to the state department of revenue not less than fifteen (15) days before such hearing, upon notice forms provided by the department and containing such information as it may require.'

Section 8. Section 91-4437, R.C.M. 1947, as amended, is amended to read as follows:

'91-4437. Court [Order] order determining tax-contents. When [Upon determination by] the district court shall be required to make a determination" of the value of any estate which is taxable under the inheritance tax laws, and of the tax to which it is liable, an order shall be entered by the court determining the same, which order shall include a statement of (a) the date of death of the decedent (b) the gross value of the real and personal property of such estate, stating the principal items thereof, (c) the deductions therefrom allowed by the court, (d) the names and relationship of the persons entitled to receive the same, with the amount received by each, (e) the rates and amounts of inheritance tax for which each such person is liable, and the total amount of tax to be paid, (f) a statement of the amount of interest or penalty due, if any. Such order shall be substantially in the form prescribed by the state department of revenue. A copy of the same shall be delivered or mailed to the county treasurer, the administrator or executor, and the state department of revenue, and no final judgment shall be entered in such estates until due proof is filed with the court that such copies have been so delivered or mailed, and receipts are filed with such court showing the payment of all such taxes, or proof is filed showing that the bond authorized by section 91-4419 has been given.'

Section 9. Section 91-4438, R.C.M. 1947, as amended, is amended to read as follows:

'91-4438. Rehearing within sixty days. When an appraisalment, assessment, or determination of tax is made by a district court [The] the attorney general, state department of revenue, public administrator, county attorney, or any person dissatisfied with the appraisalment or assessment and determination of such tax may apply for a rehearing thereof before the district court within sixty (60) days from the fixing, assessing and determination of the tax by the district court as herein provided on filing a written notice which shall state the grounds of the application for a rehearing. The rehearing shall be upon the records, proceedings, and proofs had and taken on the hearing as herein provided unless additional or newly discovered evidence be alleged therefor, and a new trial shall not be had or granted unless specially ordered by the district court.'

Section 10. Section 91-4448, R.C.M. 1947, as amended, is amended to read as follows:

'91-4448. Forms and blanks. The state department of revenue shall prescribe such forms and prepare such blanks as may be necessary in inheritance tax proceedings [In the district courts of the state]; and such blanks shall be printed at

the expense of the state and furnished to [the] each district court or the clerk thereof upon the request of the judge or clerk thereof.'

Section 11. Section 91-4467, R.C.M. 1947, as amended, is revised to read as follows:

'91-4467. Purpose of act—limitation on application. The purpose of this act is to provide a simplified procedure of removing the inheritance tax lien which attaches upon the death of a grantor where the transfer is from husband to wife, or wife to husband, and where the total value of the real property so transferred does not exceed the value of [twenty thousand dollars (\$20,000.00)] twenty-five thousand dollars (\$25,000.00), at the time of death; provided, however, this act shall not apply to other transfers of property under the Inheritance Tax Act. [which require determination of the inheritance tax by the court to remove the lien of the inheritance tax.]'

Section 12. Section 91-4411, R.C.M. 1947, as amended, is amended to read as follows:

'91-4411. (10400.3a) Estate tax. (a) In addition to the inheritance taxes hereinabove imposed, an estate tax is hereby imposed upon the transfer of the estate of every decedent leaving an estate which is subject to the federal estate tax imposed by the United States of America under the applicable provisions of the Internal Revenue Code and which has, in whole or in part, a taxable situs in this state. The tax hereby imposed upon the transfer of each such estate shall be equal to the maximum tax credit allowable for state death taxes against the federal estate tax imposed with respect to the portion of the decedent's estate having a taxable situs in this state, less the inheritance taxes, if any, due this state, it being the purpose and intent of this section to impose only such additional taxes hereunder as may be necessary to give this state the full benefit of the maximum tax credit allowable against the federal estate tax imposed with respect to a decedent's estate which has a taxable situs in this state. If only a portion of a decedent's estate has a taxable situs in this state, such maximum tax credit shall be determined by multiplying the entire amount of the credit allowable against the federal estate tax for state death taxes by the percentage which the value of the portion of the decedent's estate which has a taxable situs in this state bears to the value of the entire estate. The tax imposed herein shall be collected by the several county treasurers or the state board of equalization for deposit with the state treasurer and distributed as hereafter provided. For the purpose of this tax, the taxable situs of property shall be the same as the taxable situs for inheritance tax purposes.

(b) When payable. The estate tax shall be payable to the county treasurer of the county in which such estate is being probated at the same time, or times, at which the United States tax is payable and shall bear interest, if any, at the same rate and for the same period as such United States tax.

(c) Liability. Administrators, executors, trustees and grantees under a conveyance, made during the grantor's life and taxable hereunder, shall be liable for such taxes with interest, until the same have been paid.

(d) Lien. Said taxes and interest shall be, and remain, a lien on the property for a period of ten (10) years from the date of death, unless sooner paid.

(e) Extension of time. The district court of the county in which such estate is being probated may, for cause shown, extend the time of payment of said tax whenever the circumstances of the case require.

(f) Duplicate returns. It shall be the duty of the [legal] personal representative of the estate of any decedent, whose estate may be subject to the payment of a United States estate tax, to file duplicates of the United States estate tax returns with the district court of the county in which such estate is being probated and with the department of revenue. He shall also file with such court and with the department a certificate or other evidence from the bureau of internal revenue showing the amount of the United States estate tax as computed by that department. [The district court shall hear all parties desiring to be heard with respect to the amount of state estate tax and] The department of revenue shall enter an order determining such state estate tax and the amount thereof so due and payable. Any person in interest aggrieved by such determination shall have the same right

to apply for district court determination and of rehearing and appeal as is now provided for in the determination of inheritance taxes.

(g) Intent of Subdivisions (a) to (h). It is hereby declared to be the intent and purpose of Subdivisions (a) to (h) to obtain for this state the benefit of the credit allowed under the provisions of said Internal Revenue Code, to the extent that this state may be entitled by the provisions of said act, by imposing additional taxes and the same shall be liberally construed to effect this purpose.

(h) Provisions applicable. The provisions of sections 91-4401 to 91-4456, inclusive, relating to the tax on inheritances and transfers, shall apply to the taxes imposed by Subdivisions (a) to (h), in so far as the same are applicable and not in conflict with the provisions hereof.'

Section 13. Section 91-3406, R.C.M. 1947, is amended to read as follows:

'91-3406. [Not to purchase claims against the estate.] Claims for less than nominal value. [No executor or administrator shall purchase any claim against the estate he represents; and if he] If the personal representative pays any claim for less than its nominal value, he is only entitled to charge in his account for the amount he actually paid.'

Section 14. Section 91-612, R.C.M. 1947, is amended to read as follows:

'91-612. (10001) Moneys of estates in hands of public administrator, deposit and payment of—escheated estates fund. It is the duty of every public administrator, as soon as he receives the same, to deposit with the county treasurer of the county in which probate proceedings are pending, all moneys of the estate, and such moneys may be drawn upon the order of the [executor or administrator] personal representative, countersigned by a district judge, when required for the purposes of administration. It is the duty of the county treasurer to receive and safely keep all such moneys, and pay them out upon the order of the [executor or administrator] personal representative, when countersigned by a district judge, and not otherwise, and to keep an account with such estate of all moneys received and paid to him; and for the safekeeping and payment of all such moneys, as herein provided, the said treasurer and his sureties are liable upon his official bond. The moneys thus deposited may, upon order of the court or be invested, pending the proceedings, in securities of the United States, or of this state, when such investment is for the best interests of the estate. At the final settlement of any estate, if there be no heirs or other claimants thereof, the district judge shall make an order directing the administrator to sell all property belonging to the estate and pay the proceeds to the county treasurer, who shall credit the same and all other moneys belonging to said estate to the escheated state funds, and the county treasurer shall forthwith remit all of said money to the [state treasurer] department of revenue with a statement as to the estate to which the money belongs, which remittance shall be treated as provided in Chapter 5, Title 91, R.C.M. 1947, as amended.

Section 15. Section 91-131, R.C.M. 1947, is amended to read as follows:

'91-131. (7004) Mortgage not a revocation of will. A charge or encumbrance upon any estate, for the purpose of securing the payment of money or the performance of any covenant or agreement, is not a revocation of any will relating to the same estate which was previously executed. [, but the devises and legacies therein contained must pass, subject to such charge or encumbrance.]'

Section 16. Section 91-1106, R.C.M. 1947, is amended to read as follows:

'91-1106. Costs and expenses—by whom paid. When the validity or probate of a will is contested through court action the [The] fees and expenses must be paid by the party contesting the validity or probate of the will, if the will in probate is confirmed. If the probate is revoked, the costs must be paid by the party who resisted the revocation, or out of the property of the decedent, as the court directs.'

Section 17. Terms include personal representative. Where in the codes of the state of Montana the terms "administrator", "administrator with the will annexed", "executor" or a combination of such terms are used, such terms shall be deemed to include, unless the context clearly requires to the contrary, the term "personal representative".

Section 18. Section 91-218, R.C.M. 1947, is amended to read as follows:

'91-218. (7033) 'Heirs,' 'relatives,' 'issue,' 'descendants,' etc. A testamentary disposition to 'heirs,' 'relations,' 'nearest relations,' 'representatives,' 'legal representatives,' or 'personal representatives,' or 'family,' 'issue,' 'descendants,' 'nearest,' or 'next of kin,' of any person, without words of qualification, and when the terms are used as words of donation, and not of limitation, vests the property in those who would be entitled to succeed to the property of such person, according to the provisions [of the chapter on] relating to intestate succession in this code.

Section 19. Uniform Probate Code takes precedence. Should any provision of this act conflict with any provisions of other statutes of the state of Montana relating to probate, guardianship, or other subjects incorporated in this act, and such other statute or statutes was or were adopted prior to the enactment of this act, the provisions of this act shall be deemed to be controlling.

Section 20. Severability. If any provision of this act or the application thereof to any person or circumstance is invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provisions or application, and to this end the provisions of this act are declared to be severable."

Be further amended on page 1, line 4, key line of the introduced bill by deleting the figures "91-1501" and inserting in lieu thereof the material set forth in Exhibit C attached hereto, and by this reference made a part hereof, and

Be further amended on page 1, line 19, title, of the introduced bill, being page 1, line 19 of Exhibit A by striking the figures "91-1501" and inserting in lieu thereof the material set forth in Exhibit D attached hereto and by this reference made a part hereof, and

That Exhibit A, as amended by this report, Exhibit B, Exhibit C, and Exhibit D be made a part of House Bill No. 557 as set forth in this report, and

As amended, do pass.

(Material in brackets denotes cancelled type.)

HALL, Chairman

Report adopted.

EXHIBIT B

"Sections 22-101 through 22-117, 91-101, 91-102, 91-107, 91-108, 91-113 through 91-116, 91-122, 91-125 through 91-130, 91-135 through 91-139, 91-141, 91-201, 91-210, 91-214 through 91-217, 91-227, 91-235, 91-301, 91-303, 91-304, 91-307, 91-308, 91-311 through 91-314, 91-317, 91-319, 91-321, 91-402 through 91-405, 91-411 through 91-418, 91-423 through 91-430, 91-520 through 91-522, 91-612A, 91-612B, 91-701, 91-702, 91-801 through 91-811, 91-901, 91-904, 91-1001 through 91-1003, 91-1101 through 91-1105, 91-1107, 91-1301 through 91-1303, 91-1305 through 91-1312, 91-1401, 91-1402, 91-1404 through 91-1406, 91-1501 through 91-1509, 91-1601 through 91-1604, 91-1701 through 91-1723, 91-1801 through 91-1807, 91-1901 through 91-1906, 91-2002 through 91-2004, 91-2101 through 91-2105, 91-2201 through 91-2204, 91-2207 through 91-2213, 91-2401 through 91-2407, 91-2501 through 91-2507, 91-2601 through 91-2612, 91-2701 through 91-2705, 91-2707 through 91-2712, 91-2715 through 91-2720, 91-2723, 91-2724, 91-2801 through 91-2810, 91-2901, 91-2902, 91-3001 through 91-3039, 91-3101 through 91-3109, 91-3201 through 91-3204, 91-3209 through 91-3212, 91-3301 through 91-3313, 91-3405, 91-3407, 91-3601 through 91-3608, 91-3701 through 91-3706, 91-3801 through 91-3803, 91-3901 through 91-3907, 91-4001 through 91-4012, 91-4101 through 91-4106, 91-4311, 91-4314 through 91-4316, 91-4321, 91-4322, 91-4501 through 91-4508, 91-4510 through 91-4518, 91-4522 through 91-4525, 91-4601 through 91-4604, 91-4606 through 91-4608, 91-4610, 91-4611, 91-4701 through 91-4706, 91-4801 through 91-4822, 91-4901 through 91-4904, 91-4906, 91-4907, 91-4909 through 91-4911, 91-5001 through 91-5007, 91-5101 through 91-5111, 91-5202, 91-5203, 91-5210, 91-5301 through 91-5312, and 93-1404.4, R.C.M. 1947, are repealed."

EXHIBIT C

"22-101 through 22-117, 91-101, 91-102, 91-107, 91-108, 91-113 through 91-116, 91-122, 91-125 through 91-130, 91-131, 91-135 through 91-139, 91-141, 91-201, 91-210, 91-214 through 91-217, 91-218, 91-227, 91-235, 91-301, 91-303, 91-304, 91-307, 91-308, 91-311 through 91-314, 91-317, 91-319, 91-321, 91-402 through 91-405, 91-411 through 91-418, 91-423 through 91-430, 91-520 through 91-522, 91-612, 91-612A, 91-612B, 91-701, 91-702, 91-801 through 91-811, 91-901, 91-904, 91-1001 through 91-1003, 91-1101 through 91-1105, 91-1106, 91-1107, 91-1301 through 91-1303, 91-1305 through 91-1312, 91-1401, 91-1402, 91-1404 through 91-1406, 91-1501 through 91-1509, 91-1601 through 91-1604, 91-1701 through 91-1723, 91-1801 through 91-1807, 91-1901 through 91-1906, 91-2002 through 91-2004, 91-2101 through 91-2105, 91-2201 through 91-2204, 91-2207 through 91-2213, 91-2401 through 91-2407, 91-2501 through 91-2507, 91-2601 through 91-2612, 91-2701 through 91-2705, 91-2707 through 91-2712, 91-2715 through 91-2720, 91-2723, 91-2724, 91-2801 through 91-2810, 91-2901, 91-2902, 91-3001 through 91-3039, 91-3101 through 91-3109, 91-3201 through 91-3204, 91-3209 through 91-3212, 91-3301 through 91-3313, 91-3405, 91-3406, 91-3407, 91-3601 through 91-3608, 91-3701 through 91-3706, 91-3801 through 91-3803, 91-3901 through 91-3907, 91-4001 through 91-4012, 91-4101 through 91-4106, 91-4311, 91-4314 through 91-4316, 91-4321, 91-4322, 91-4411, 91-4417, 91-4423, 91-4430, 91-4437, 91-4438, 91-4448, 91-4467, 91-4501 through 91-4508, 91-4510 through 91-4518, 91-4522 through 91-4525, 91-4601 through 91-4604, 91-4606 through 91-4608, 91-4610, 91-4611, 91-4701 through 91-4706, 91-4801 through 91-4822, 91-4901 through 91-4904, 91-4906, 91-4907, 91-4909 through 91-4911, 91-5001 through 91-5007, 91-5101 through 91-5111, 91-5202, 91-5203, 91-5210, 91-5301 through 91-5312, and 93-1404.4;"

EXHIBIT D

"Sections 22-101 through 22-117, 91-101, 91-102, 91-107, 91-108, 91-113 through 91-116, 91-122, 91-125 through 91-130, 91-135 through 91-139, 91-141, 91-201, 91-210, 91-214 through 91-217, 91-227, 91-235, 91-301, 91-303, 91-304, 91-307, 91-308, 91-311 through 91-314, 91-317, 91-319, 91-321, 91-402 through 91-405, 91-411 through 91-418, 91-423 through 91-430, 91-520 through 91-522, 91-612A, 91-612B, 91-701, 91-702, 91-801 through 91-811, 91-901, 91-904, 91-1001 through 91-1003, 91-1101 through 91-1105, 91-1107, 91-1301 through 91-1303, 91-1305 through 91-1312, 91-1401, 91-1402, 91-1404 through 91-1406, 91-1501 through 91-1509, 91-1601 through 91-1604, 91-1701 through 91-1723, 91-1801 through 91-1807, 91-1901 through 91-1906, 91-2003 through 91-2004, 91-2101 through 91-2105, 91-2201 through 91-2204, 91-2207 through 91-2213, 91-2401 through 91-2407, 91-2501 through 91-2507, 91-2601 through 91-2612, 91-2701 through 91-2705, 91-2707 through 91-2712, 91-2715 through 91-2720, 91-2723, 91-2724, 91-2801 through 91-2810, 91-2901, 91-2902, 91-3001 through 91-3039, 91-3101 through 91-3109, 91-3201 through 91-3204, 91-3209 through 91-3212, 91-3301 through 91-3313, 91-3405, 91-3407, 91-3601 through 91-3608, 91-3701 through 91-3706, 91-3801 through 91-3803, 91-3901 through 91-3907, 91-4001 through 91-4012, 91-4101 through 91-4106, 91-4311, 91-4314 through 91-4316, 91-4321, 91-4322, 91-4501 through 91-4508, 91-4510 through 91-4518, 91-4522 through 91-4525, 91-4601 through 91-4604, 91-4606 through 91-4608, 91-4610, 91-4611, 91-4701 through 91-4706, 91-4801 through 91-4822, 91-4901 through 91-4904, 91-4906, 91-4907, 91-4909 through 91-4911, 91-5001 through 91-5007, 91-5101 through 91-5111, 91-5202, 91-5203, 91-5210, 91-5301 through 91-5312, and 93-1404.4, R.C.M. 1947; and amending sections 91-131, 91-218, 91-612, 91-1106, 91-3406, 91-4411, 91-4417, 91-4423, 91-4430, 91-4437, 91-4438, 91-4448, 91-4467, R.C.M. 1947;"

January 23, 1974

Mr. Speaker: We, your Committee on local Government, having had under consideration House Bill No. 815, respectfully report as follows: That House Bill No. 815 be amended on page 1, line 6 of the introduced bill by deleting the word: "creating" and inserting in lieu thereof the word: "expanding", and

As amended, do pass.

KOSENSA, Chairman

Report adopted.

January 24, 1974

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 833, respectfully report as follows: That House Bill No. 833 do not pass.

GUNDERSON, Chairman

January 24, 1974

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 857, respectfully report as follows: That House Bill No. 857 be amended on page 1, line 8, title after the word and punctuation: "received;" by striking the word: "and", and

Be further amended on page 1, line 9, title, after the figures: "1947" by inserting the new material: "; and providing an effective date", and

Be further amended on page 1, Section 1, line 18 after the material: "benefits." by striking the material: "An employee to serve" and inserting in lieu thereof the new material: "Each employee of the state or any political subdivision thereof who is", and

Be further amended on page 2, line 19 after the word and punctuation: "act." by adding a new section reading: "Section 2. This act shall be effective on passage and approval.", and

As amended, do pass.

HALL, Chairman

Report adopted.

January 23, 1974

Mr. Speaker: We, your Committee on Local Government, having had under consideration House Bill No. 883, respectfully report as follows: That House Bill No. 883 be amended on page 1 of the introduced bill, line 14 after the word and punctuation: "statement." by inserting: "(1)", and

Be further amended on page 2 of the introduced bill, line 8 by starting a new paragraph after the word and punctuation: "therefor." which will read as follows: "(2) A complete list of all claims ordered paid for all purposes, showing the name, purpose and amount, shall be posted in or near the county courthouse within the time provided.", and

As amended, do pass.

KOSENA, Chairman

Report adopted.

January 24, 1974

Mr. Speaker: We, your Committee on Finance and Claims, having had under consideration House Bill No. 987, respectfully report as follows: That House Bill No. 987 be amended in Section 1, lines 9 and 10 of the introduced bill by inserting after the word: "fund" and before the word: "the" on line 10 the following words: "to the office of the Secretary of the State", and

As amended, do pass.

BARDANOUVE, Chairman

Report adopted.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 285 was adopted by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus,

Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Colberg, Cotton, Cox, Driscoll, East, Edland, Fagg, Fasbender, Fleming, Forsgren, Galt, Gunderson, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kolstad, Kosena, Laas, Lee, Lien, Lockrem, Lombardi, Lund, Lundgren, Lynch, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Quilici, Regan, Rolfe, Schepens, Schye, Seifert, Selstad, Smith, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 85.

Noes: None.

Excused: Ellerd, Flynn, Greely, Mercer, Shelden. Total 5.

Absent or not voting: Clemow, Glennen, Hageman, Holmes, Kimble, Kvaalen, Lucas, McKittrick, Roberts, Towe. Total 10.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 398 was adopted by the following vote:

Ayes: Ageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Fagg, Fasbender, Fleming, Forsgren, Galt, Glennen, Gunderson, Hageman, Hager, Haines, Hall, H. Harper, R. Harper, Healy, Hodges, Holtz, Hubing, Jacobsen, Johnston, Jones, Kendall, Kessner, Kolstad, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lund, Lundgren, Lynch, Mann, Marbut, Marks, Menahan, Murphy, Norman, Olson, Prevost, Quilici, Regan, Rolfe, Schepens, Schye, Seifert, Selstad, Smith, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 83.

Noes: None.

Excused: Ellerd, Flynn, Greely, Mercer, Shelden. Total 5.

Absent or not voting: Halvorson, Holmes, Huennekens, Kimble, Kosena, Lucas, McKittrick, Manuel, Mehrens, Roberts, Towe, Zimmer. Total 12.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 503 was adopted by the following vote:

Ayes: Ageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Fagg, Forsgren, Galt, Glennen, Gunderson, Hageman, Hager, Haines, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lund, Lundgren, Lynch, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Quilici, Regan, Rolfe, Schepens, Seifert, Selstad, Smith, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 84.

Noes: None.

Excused: Ellerd, Flynn, Greely, Mercer, Shelden. Total 5.

Absent or not voting: Brown, Fasbender, Fleming, Hall, Halvorson, Kimble, Lucas, McKittrick, Roberts, Schye, Towe. Total 11.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 518 was adopted by the following vote:

Ayes: Ageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Driscoll, East, Edland, Fasbender, Forsgren, Galt, Glennen, Hageman, Haines, H. Harper, R. Harper, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lombardi, Lund, Lundgren, Lynch, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Norman, Prevost, Quilici, Regan, Rolfe, Schepens, Seifert, Selstad, Smith, Staigmillier, Stephens, Stoltz, Tierney, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 77.

Noes: Bradley, Gunderson, Hodges, Swanberg. Total 4.

Excused: Ellerd, Flynn, Greely, Mercer, Shelden. Total 5.

Absent or not voting: Cox, Fagg, Fleming, Hager, Hall, Halvorson, Kimble, Lockrem, Lucas, McKittrick, Olson, Roberts, Schye, Towe. Total 14.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 529 was adopted by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Brand, Brown, Campbell, Castles, Clemow, Cotton, Cox, Driscoll, Edland, Fagg, Fasbender, Forsgren, Galt, Glennen, Hageman, Hager, Haines, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lund, Lundgren, Lynch, Mann, Manuel, Marbut, Marks, Mehrens, Murphy, Norman, Prevost, Quilici, Regan, Rolfe, Schepens, Seifert, Selstad, Smith, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Turman, Turner, Ulmer, Walborn, Watt, Yardley, Zimmer, Mr. Speaker. Total 76.

Noes: Bradley, Colberg, Gunderson, Hall, H. Harper, R. Harper, Menahan, Warfield. Total 8.

Excused: Ellerd, Flynn, Greely, Mercer, Shelden. Total 5.

Absent or not voting: Burnett, East, Fleming, Halvorson, Kimble, Lucas, McKittrick, Olson, Roberts, Schye, Towe. Total 11.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 616 was adopted by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, Edland, Fagg, Fasbender, Forsgren, Galt, Glennen, Gunderson, Hager, Haines, Hall, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lund, Lundgren, Lynch, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Norman, Prevost, Quilici, Regan, Rolfe, Schepens, Schye, Seifert, Selstad, Smith, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 82.

Noes: None.

Excused: Ellerd, Flynn, Greely, Mercer, Shelden. Total 5.

Absent or not voting: Bennetts, East, Fleming, Hageman, Halvorson, Kimble, Lucas, McKittrick, Olson, Roberts, Towe, Walborn, Zimmer. Total 13.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 696 was adopted by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Fagg, Fasbender, Forsgren, Glennen, Gunderson, Hageman, Hager, Haines, Hall, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Norman, Prevost, Quilici, Rolfe, Schepens, Schye, Seifert, Selstad, Smith, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 84.

Noes: None.

Excused: Ellerd, Flynn, Greely, Mercer, Shelden. Total 5.

Absent or not voting: Bennetts, Fleming, Galt, Halvorson, Kimble, Lucas, Olson, Regan, Roberts, Towe, Walborn. Total 11.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 697 was adopted by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cox, Driscoll, East, Edland, Fagg, Fasbender, Fleming, Forsgren, Galt, Glennen, Gunderson, Hageman, Hager, Haines, Hall, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Quilici, Regan, Rolfe, Schepens, Schye, Seifert, Selstad, Smith, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 87.

Noes: None.

Excused: Ellerd, Flynn, Greely, Mercer, Shelden. Total 5.

Absent or not voting: Bennetts; Cotton, Halvorson, Kimble, Lucas, Roberts, Towe, Walborn. Total 8.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 809 was adopted by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Bell, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Fagg, Fasbender, Fleming, Forsgren, Galt, Glennen, Gunderson, Hager, Haines, Hall, H. Harper, Healy, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Murphy, Norman, Olson, Prevost, Quilici, Regan, Rolfe, Schepens, Schye, Seifert, Selstad, Smith, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 82.

Noes: Baucus, R. Harper, Hodges. Total 3.

Excused: Ellerd, Flynn, Greely, Mercer, Shelden. Total 5.

Absent or not voting: Bennetts, Edland, Hageman, Halvorson, Kimble, Lucas, Menahan, Roberts, Towe, Walborn. Total 10.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 979 was adopted by the following vote:

Ayes: Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Clemow, Colberg, Cotton, Driscoll, East, Fagg, Fasbender, Fleming, Forsgren, Galt, Glennen, Gunderson, Hager, Haines, Hall, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kosena, Kvaalen, Lee, Lockrem, Lombardi, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Quilici, Regan, Rolfe, Schepens, Schye, Seifert, Selstad, Smith, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 78.

Noes: Aageson, Campbell, Castles, Cox, Holtz, Kolstad, Laas, Rolfe. Total 8.

Excused: Ellerd, Flynn, Greely, Mercer, Shelden. Total 5.

Absent or not voting: Edland, Hageman, Halvorson, Lien, Lucas, Roberts, Towe, Walborn, Zimmer. Total 9.

MESSAGES FROM THE GOVERNOR

January 23, 1974

Honorable Harold Gerke
Speaker of the House of
Representatives
Capitol
Helena, Montana

Dear Sir:

I have the honor to inform you that I have this day approved the following measures:

House Bills No.: 297 and 299.

Sincerely,

THOMAS L. JUDGE
Governor

cc: Honorable Gordon McOmber

MESSAGES FROM THE OTHER HOUSE

January 23, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was this day on Committee report, not concurred in as amended, report adopted, and the bill is herewith returned to the House:

House Bill No. 132 introduced by Edland

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

MOTIONS

Bardanouve moved that House Bill No. 665 be taken from Second Reading and re-referred to the Committee on State Administration.

Motion carried.

Hall moved that the interim joint Senate and House Judiciary Bill, Exhibit A to the House Judiciary Report together with the committee report and the other exhibits to that report be treated as the House Second Reading Bill, House Bill No. 557, and that the bill be considered correctly engrossed.

Motion carried.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Fasbender moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading, under the rules of the previous sitting.

Motion carried.

Laas in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

January 24, 1974

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That House Bill No. 232 do pass. (87-0)

That House Bill No. 233 be passed to the bottom of the board.

That House Bill No. 568 do not pass. (75-18)

That House Bill No. 628 do pass. (75-13)

That House Bill No. 772 do pass. (88-0)

That House Bill No. 789 do pass. (85-0)

That House Bill No. 845 do pass. (84-2)

That House Bill No. 879 do pass. (59-36)

That House Joint Resolution No. 38 do pass. (60-22)

That House Bill No. 233 do pass. (88-0)

That the committee rise and report.

LAAS, Chairman

Report adopted.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 612 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Fagg, Fasbender, Fleming, Forsgren, Glennen, Gunderson, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Smith, Staigmilller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 91.

Noes: None.

Excused: Ellerd, Greely, Mercer, Shelden. Total 4.

Absent or not voting: Flynn, Galt, Hageman, Lien, Lockrem. Total 5.

House Bill No. 717 was passed by the following vote:

Ayes: Baeth, Bardanouve, Baucus, Bennetts, Bradley, Brown, Castles, Colberg, Cotton, Driscoll, Edland, Fagg, Fasbender, Fleming, Flynn, Galt, Greely, Gunderson, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Huennekens, Jacobsen, Kimble, Kosena, Laas, Lee, Lombardi, Lynch, McKittrick, Marbut, Mehrens, Menahan, Murphy, Norman, Quilici, Regan, Roberts, Shelden, Staigmilller, Stoltz, Swanberg, Towe, Turman, Warfield, Watt, Yardley, Mr. Speaker. Total 53.

Noes: Aageson, Ainsworth, Asbjornson, Barrett, Bell, Brand, Burnett, Campbell, Clemow, Cox, East, Ellerd, Forsgren, Glennen, Hall, Holtz, Hubing, Johnston, Jones, Kendall, Kessner, Kolstad, Kvaalen, Lockrem, Lucas, Lund, Lundgren, Mann, Manuel, Marks, Mercer, Olson, Prevost, Rolfe, Schepens, Schye, Seifert, Selstad, Smith, Stephens, Tierney, Turner, Ulmer, Walborn, Zimmer. Total 45.

Paired: Fagg, Greely, Shelden, Turman, Aye; Bell, Ellerd, Lockrem, Mercer, Nay.

Excused: None.

Absent or not voting: Hageman, Lien. Total 2.

House Bill No. 757 was passed by the following vote:

Ayes: Ainsworth, Baeth, Bardanouve, Baucus, Bell, Bennetts, Bradley, Brown, Burnett, Campbell, Castles, Clemow, Cotton, Cox, Driscoll, East, Fagg, Fleming, Forsgren, Galt, Glennen, Gunderson, Haines, Halvorson, H. Harper, Healy, Hodges, Hubing, Jones, Kendall, Kessner, Kimble, Kosena, Kvaalen, Lee, Lockrem, Lombardi, Lucas, Lundgren, Lynch, Mann, Marbut, Marks, Menahan, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Staigmilller, Stoltz, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 65.

Noes: Aageson, Asbjornson, Barrett, Brand, Colberg, Edland, Fasbender, Greely, Hall, R. Harper, Huennekens, Jacobsen, Johnston, Kolstad, Laas, Lien, Lund, McKittrick, Manuel, Mehrens, Murphy, Selstad, Stephens, Swanberg, Tierney. Total 25.

Paired: Lockrem, Aye; Greely, Nay.

Excused: None.

Absent or not voting: Ellerd, Flynn, Hageman, Hager, Holmes, Holtz, Mercer, Shelden, Smith, Zimmer. Total 10.

House Bill No. 771 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Fagg, Fasbender, Fleming, Forsgren, Glennen, Gunderson, Hageman, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosen, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Seifert, Selstad, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 91.

Noes: None.

Excused: Ellerd, Flynn, Greely, Mercer, Shelden. Total 5.

Absent or not voting: Galt, Hager, Schye, Turner. Total 4.

House Bill No. 775 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Fagg, Fasbender, Fleming, Forsgren, Galt, Glennen, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Kendall, Kessner, Kimble, Kolstad, Kosen, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, Mann, Marbut, Marks, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Seifert, Selstad, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 89.

Noes: Hall, R. Harper, McKittrick. Total 3.

Excused: Ellerd, Flynn, Greely, Mercer, Shelden. Total 5.

Absent or not voting: Jones, Manuel, Schye. Total 3.

House Bill No. 800 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, Edland, Fagg, Fasbender, Fleming, Forsgren, Galt, Glennen, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosen, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 92.

Noes: East, Mann. Total 2.

Excused: Ellerd, Greely, Mercer, Shelden. Total 4.

Absent or not voting: Flynn, Turner. Total 2.

House Bill No. 843 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, Edland, Fagg, Fasbender, Fleming, Forsgren, Galt, Glennen, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Norman, Prevost, Quilici, Regan, Roberts, Schepens, Schye, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Yardley, Zimmer, Mr. Speaker. Total 83.

Noes: Bell, Burnett, East, Hubing, Olson, Rolfe, Seifert, Selstad, Smith, Walborn, Warfield, Watt. Total 12.

Excused: Ellerd, Greely, Mercer, Shelden. Total 4.

Absent or not voting: Flynn. Total 1.

REPORTS OF STANDING COMMITTEES

January 23, 1974

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration House Bill No. 576, respectfully report as follows: That House Bill No. 576 be amended on page 1, lines 20 through 23 by deleting all the material contained in these lines, which reads as follows: "(2) The resource indemnity trust of the state shall consist of revenue derived from a tax levied on the extraction of natural resources in the state as provided by law.", and insert in lieu thereof: "(2) The legislature shall provide for a fund, to be known as the resource indemnity trust of the state of Montana, to be funded by such taxes on the extraction of natural resources as the legislature may from time to time impose for that purpose.", and

As amended, do pass.

LOMBARDI, Chairman

Report adopted.

January 23, 1974

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration House Bill No. 719, respectfully report as follows: That House Bill No. 719 be amended on page 2, lines 6 and 7 of the introduced bill, by deleting all of the wording contained in those lines: "(e) elected officials of local government when acting in a legislative capacity.", and

Be further amended on page 2, line 22 of the introduced bill after the word: "license," by inserting the following words: "except where the issuance of such licenses involves no more than a ministerial act.", and

Be further amended on page 2, line 23 after the word "of" by inserting the word "significant", and

As amended, do pass.

LOMBARDI, Chairman

Report adopted.

January 23, 1974

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration House Bill No. 720, respectfully report as follows: That House Bill No. 720 be amended on page 3, line 6, Section 6 by striking the word: "choose" and inserting in lieu thereof the word: "close", and

Be further amended on page 3, Section 7, line 14 after the word: "who" by inserting the word: "knowingly", and

As amended, do pass.

LOMBARDI, Chairman

Report adopted.

January 24, 1974

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 816, respectfully report as follows: That House Bill No. 816 do pass.

LEE, Chairman

Report adopted.

January 24, 1974

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 822, respectfully report as follows: That House Bill No. 822 be amended on page 1, Section 1, line 22 after the word: "section" by omitting the following material: "31-139, R.C.M. 1947." and inserting in lieu thereof the following new material: "2 of this act.", and

Be further amended on page 1, Section 2, line 24, by underlining the new material in Section 2 in its entirety, and

As amended, do pass.

LEE, Chairman

Report adopted.

MESSAGES FROM THE OTHER HOUSE

January 24, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was this day on Committee report, not concurred in, report adopted, and the bill is herewith returned to the House:

House Bill No. 439 introduced by Baucus

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

January 24, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was this day read three times and concurred in, title and history agreed to and the said bill is herewith returned to the House:

House Bill No. 674 introduced by Gerke

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

Fasbender moved that the House adjourn until 1:30 p.m., January 25, 1974.

Motion carried.

House adjourned.

HAROLD E. GERKE, Speaker

EDWIN A. SMITH, Chief Clerk

SEVENTEENTH LEGISLATIVE DAY

Helena, Montana
January 25, 1974

House Chambers
Capitol Building

House convened at 1:30 p.m., Mr. Speaker in the Chair.

Invocation by the Chaplain.

Pledge of Allegiance to the Flag.

Roll call. All members present except Ellerd, Lien, Mercer and Shelden; all excused.

Quorum present.

Mr. Speaker: We, your Committee on Bills and Journal, having examined the daily journal for the Sixteenth Legislative Day, find the same to be correct.

FLEMING, Vice-Chairman

REPORTS OF STANDING COMMITTEES

January 25, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly enrolled: House Bill No. 489, House Bill No. 674.

FLEMING, Vice-Chairman

January 25, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: House Bill No. 412, House Bill No. 664.

FLEMING, Vice-Chairman

January 25, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills and resolution considered correctly engrossed: House Bill No. 232, House Bill No. 233, House Bill No. 686, House Bill No. 628, House Bill No. 772, House Bill No. 789, House Bill No. 845, House Bill No. 879, House Joint Resolution No. 38.

FLEMING, Vice-Chairman

January 24, 1974

reported January 25, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly printed: House Bill No. 557, House Bill No. 623.

FLEMING, Vice-Chairman

January 25, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly printed: House Bill No. 682, House Bill No. 671, House Bill No. 816, House Bill No. 872, House Bill No. 928.

FLEMING, Vice-Chairman

January 25, 1974

I have examined House Bill No. 674 introduced by me and find the same to be correct.

GERKE

January 24, 1974

The following resolution was signed in the office of the Speaker of the House of Representatives on January 24, 1974: House Joint Resolution No. 4.

EDWIN A. SMITH, Chief Clerk
House of Representatives

January 25, 1974

The following bill will be signed at adjournment on January 25, 1974, in the office of the Speaker of the House of Representatives: House Bill No. 674.

EDWIN A. SMITH, Chief Clerk
House of Representatives

January 25, 1974

Mr. Speaker: We, your Committee on Legislative Administration, recommend that the following be employed by the House of Representatives for the Second Regular Session of the 43rd Legislative Assembly effective January 21, 1974:

Vickie Hodges	Page
Robin Klemo	Page
Louis Nelson	Page
Patti McDonald	Page

As of January 24, 1974, the following also be employed:

Cathy Bustell	Page
James Halseth	Page
Patricia Tyler	Page
Lauri Solander	Page

As of January 19, 1974, the following shall be terminated:

Frank Barry Cummings	Page
Julane O'Lee Green	Page
Kimberly A. Williams	Page
Ti Hobson	Page

As of January 23, 1974, the following shall be terminated:

Lori Kay Kerr	Page
Mac Meuchel	Page
Margaret Regan	Page

EDLAND, Chairman

Report adopted.

January 25, 1974

Mr. Speaker: We, your Committee on Taxation, having had under consideration House Bill No. 322, respectfully report as follows: That House Bill No. 322 do not pass.

WATT, Chairman

January 25, 1974

Mr. Speaker: We, your Committee on Legislative Administration, having had under consideration Senate Bill No. 510, respectfully report as follows: That Senate Bill No. 510 do pass.

EDLAND, Chairman

Report adopted.

January 25, 1974

Mr. Speaker: We, your Committee on Taxation, having had under consideration House Bill No. 734, respectfully report as follows: That House Bill No. 734 do pass.

WATT, Chairman

Report adopted.

January 25, 1974

Mr. Speaker: We, your Committee on Taxation, having had under consideration House Bill No. 769, respectfully report as follows: That House Bill No. 769 do pass.

WATT, Chairman

Report adopted.

January 25, 1974

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 810, respectfully report as follows: That House Bill No. 810 do not pass.

HALL, Chairman

January 25, 1974

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 848, respectfully report as follows: That House Bill No. 848 do pass.

HALL, Chairman

Report adopted.

January 25, 1974

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 912, respectfully report as follows: That House Bill No. 912 do pass.

HALL, Chairman

Report adopted.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 457 was adopted by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holtz, Hubing, Huennekens, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lockrem, Lombardi, Lucas, Lund, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Menahan, Murphy, Norman, Olson, Prevost, Quilici, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Smith, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 88.

Noes: None.

Absent or not voting: Bennetts, Edland, Holmes, Jacobsen, Johnston, Lundgren, Mehrens, Regan. Total 8.

Excused: Ellerd, Lien, Mercer, Shelden. Total 4.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 833 was adopted by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Driscoll, East, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kolstad, Kosena, Kvaalen, Laas, Lee, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Menahan, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Selstad, Smith, Staigmillier, Stephens, Stoltz, Swanberg, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 86.

Noes: Cotton, Murphy, Tierney. Total 3.

Absent or not voting: Bennetts, Cox, Edland, Holmes, Kimble, Mehrens, Seifert. Total 7.

Excused: Ellerd, Lien, Mercer, Shelden. Total 4.

MESSAGES FROM THE OTHER HOUSE

January 24, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day read three several times, and passed, title and history agreed to, and the bills are herewith transmitted to the House for concurrence:

Senate Bill No. 367 introduced by the Committee on Highways and Transportation

Senate Bill No. 502 introduced by James

Senate Bill No. 526 introduced by Lowe, Hall, et al

Senate Bill No. 546 introduced by Hazelbaker

Senate Bill No. 562 introduced by Sorenson and Broeder

Senate Bill No. 572 introduced by Bollinger

Senate Bill No. 573 introduced by Bollinger and Goodheart

Senate Bill No. 574 introduced by Bollinger and Goodheart

Senate Joint Resolution No. 42 introduced by Story

Senate Joint Resolution No. 43 introduced by Bertsche

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following bills were introduced, read first time and referred to committees:

Senate Bill No. 367, introduced by Highways and Transportation Committee (by request): A bill for an act entitled: "An act to amend Sections 53-514, 53-515, 53-516, 53-517, 53-518 and 53-519, R.C.M. 1947; to require the transfer of title of state-owned vehicles to the name of the State of Montana; to provide that state agencies pay for all actual costs of using motor vehicles; to regulate the use of privately owned vehicles by state employees; and to require the Department of Highways to submit requisitions for motor vehicle purchases." Referred to Committee on Highways and Transportation.

Senate Bill No. 502, introduced by James: A bill for an act entitled: "An act to require that physicians inform the spouse, parent, custodian or guardian of a minor who is pregnant prior to performing an abortion on such minor, and amending Section 69-6102, R.C.M. 1947." Referred to Committee on Public Health, Welfare and Safety.

Senate Bill No. 526, introduced by Lowe, Hall, Keenan, Moritz: A bill for an act entitled: "An act amending Section 32-2137, R.C.M. 1947, to authorize right turns at intersections on exhibition of red or stop signals." Referred to Committee on Highways and Transportation.

Senate Bill No. 546, introduced by Hazelbaker: A bill for an act entitled: "An act to allocate state construction funds to match federal-aid highway funds available for the replacement of bridges, and providing for the apportionment of such state construction funds." Referred to Committee on Highways and Transportation.

Senate Bill No. 562, introduced by Sorensen, Broeder: A bill for an act entitled: "An act to amend Section 32-2610, R.C.M. 1947, to allow the Department of Highways to increase the expenditures for federal aid interstate highway systems made in any financial district to the extent of three hundred percent (300%) more than the amount of money allocated to such district." Referred to Committee on Highways and Transportation.

Senate Bill No. 572, introduced by Bollinger: A bill for an act entitled: "An act repealing sections of the Public Welfare Act supplanted by the United States Social Security Act as of January 1, 1974, repealing Sections 71-401 through 71-411, 71-413, 71-601 through 71-607, 71-609 through 71-614, and 71-1201 through 71-1210, R.C.M. 1947; and providing an effective date." Referred to Committee on Public Health, Welfare and Safety.

Senate Bill No. 573, introduced by Bollinger, Goodheart: A bill for an act entitled: "An act amending Section 71-1404, R.C.M. 1947, to provide supplementary services to prevent blindness or to restore sight." Referred to Committee on Public Health, Welfare and Safety.

Senate Bill No. 574, introduced by Bollinger, Goodheart: A bill for an act entitled: "An act amending Section 71-1520, R.C.M. 1947, to authorize the state and its counties to accept the Federal Social Security Administration's determination of eligibility for medical care; and providing an effective date." Referred to Committee on Public Health, Welfare and Safety.

Senate Joint Resolution No. 42, introduced by Story: A Joint Resolution of the Senate and the House of Representatives of the State of Montana urging the Secretary of the Interior to find and recommend that the proposed Allenspur Dam on the Yellowstone River should not be authorized or constructed. Referred to Committee on Constitution, Elections and Federal Relations.

Senate Joint Resolution No. 43, introduced by Bertsche: A Joint Resolution of the Senate and the House of Representatives of the State of Montana urging the Congress to increase appropriations for range land improvement on the public lands. Referred to Committee on Agriculture, Livestock and Irrigation.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Fasbender moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading, under the rules of the previous sitting.

Motion carried.

(Representative Edland now present.)

Jones in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

January 25, 1974

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That House Bill No. 557 be amended in Section 1, Subsection (4), page 129, lines 4, 5 and 6 of the Interim Joint Committee on Judiciary bill by striking the sentence beginning with the words: "If the attorney" and ending with the word: "compensation" (86-0), and

As amended, do pass. (94-0)

That House Bill No. 623 do not pass. (53-41)

That House Bill No. 753 be amended in Section 1, page 4, line 3 by inserting after the word: "immediately" the words: "makes arrangements to" on the original Committee of the Whole amendment (60-31), and

Further amend Section 1, page 4, line 3 by adding after the word: "town" the following language: "provided, however, such waiver shall be effective only if the

city or town can immediately provide full services to the area to be annexed that are provided to other citizens of that city or town." (62-31), and

As amended, do not pass. (48-46)

Representative Regan, with permission of the Speaker, was excused at this time.

That House Bill No. 778 be passed for the day.

That House Bill No. 779 be amended in Section 1, page 1, line 25 by adding after the word: "any" the words: "elected or" (64-0), and

As amended, do pass. (78-0)

That House Bill No. 915 do pass. (82-0)

That House Bill No. 925 be passed for the day.

That the committee rise and report.

JONES, Chairman

As a substitute motion, Tierney moved that House Bill No. 753 be segregated from the Committee of the Whole report and as amended, the report be adopted.

Motion carried.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 202 was passed by the following vote:

Ayes: Aageson, Ainsworth, Baeth, Bardanouve, Barrett, Baucus, Bennetts, Bradley, Brown, Campbell, Castles, Cotton, Cox, Driscoll, Edland, Fagg, Fleming, Flynn, Forsgren, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Huennekens, Jones, Kendall, Kessner, Kimble, Kolstad, Kvaalen, Laas, Lee, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Mehrens, Murphy, Norman, Olson, Quilici, Roberts, Schepens, Selstad, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Zimmer, Mr. Speaker. Total 69.

Noes: Asbjornson, Bell, Brand, Burnett, East, Galt, Glennen, Hubing, Jacobsen, Kosen, Lockrem, Marks, Prevost, Rolfe, Seifert, Smith, Staigmiller, Walborn. Total 18.

Paired: Cox, Aye; Lockrem, Nay.

Excused: Ellerd, Lien, Mercer, Regan, Shelden. Total 5.

Absent or not voting: Clemow, Colberg, Fasbender, Johnston, Mann, Menahan, Schye, Yardley. Total 8.

House Bill No. 637 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Cotton, Driscoll, East, Edland, Fagg, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosen, Kvaalen, Laas, Lee, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Quilici, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 89.

Noes: None.

Excused: Ellerd, Mercer, Regan, Shelden. Total 4.

Absent or not voting: Bell, Colberg, Cox, Fasbender, Halvorson, Lien, Marks. Total 7.

House Bill No. 661 was passed by the following vote:

Ayes: Aageson, Ainsworth, Baeth, Bardanouve, Barrett, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Cotton, Driscoll, East, Edland, Fagg, Fasbender, Fleming, Flynn, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lockrem, Lombardi, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Quilici, Roberts, Schepens, Schye, Seifert, Selstad, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 87.

Noes: Forsgren, Rolfe. Total 2.

Excused: Ellerd, Lien, Mercer, Regan, Shelden. Total 5.

Absent or not voting: Asbjornson, Baucus, Burnett, Colberg, Cox, Lucas. Total 6.

House Bill No. 672 was passed by the following vote:

Ayes: Baeth, Bardanouve, Baucus, Bradley, Brand, Brown, Castles, Cotton, Driscoll, Edland, Fleming, Flynn, Glennen, Greely, Gunderson, Hageman, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Huennekens, Jacobsen, Johnston, Kimble, Kosena, Laas, Lee, Lombardi, Lucas, Lund, Lynch, McKittrick, Manuel, Marbut, Mehrens, Menahan, Murphy, Norman, Prevost, Quilici, Regan, Roberts, Schepens, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Watt, Zimmer, Mr. Speaker. Total 59.

Noes: Aageson, Ainsworth, Asbjornson, Barrett, Bell, Burnett, Campbell, Clemow, Cox, East, Fagg, Forsgren, Galt, Hager, Holtz, Hubing, Jones, Kendall, Kessner, Kolstad, Kvaalen, Lockrem, Lundgren, Mann, Marks, Mercer, Rolfe, Seifert, Selstad, Smith, Walborn, Warfield, Yardley. Total 33.

Paired: Driscoll, Regan, Aye; Cox, Mercer, Nay.

Excused: Ellerd, Lien, Shelden. Total 3.

Absent or not voting: Bennetts, Colberg, Fasbender, Olson, Schye. Total 5.

House Bill No. 692 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bennetts, Bradley, Brown, Burnett, Campbell, Castles, Clemow, Cotton, Driscoll, East, Edland, Fagg, Fleming, Flynn, Galt, Glennen, Greely, Gunderson, Hageman, Hall, Halvorson, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Quilici, Schepens, Schye, Seifert, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 79.

Noes: Bell, Brand, Forsgren, Hager, Haines, H. Harper, Holtz, Lockrem, Marks, Rolfe, Selstad, Smith. Total 12.

Excused: Ellerd, Lien, Mercer, Regan, Shelden. Total 5.

Absent or not voting: Colberg, Cox, Fasbender, Roberts. Total 4.

House Bill No. 702 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Cotton, Driscoll, East, Edland, Fagg, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Quilici, Roberts,

Rolfe, Schepens, Schye, Seifert, Selstad, Smith, Staigmilller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 92.

Noes: None.

Excused: Ellerd, Lien, Mercer, Regan, Shelden. Total 5.

Absent or not voting: Colberg, Cox, Fasbender. Total 3.

House Bill No. 709 was passed by the following vote:

Ayes: Aageson, Ainsworth, Baeth, Bardanouve, Barrett, Baucus, Bennetts, Bradley, Brand, Brown, Castles, Cotton, Driscoll, Edland, Fagg, Fleming, Flynn, Forsgren, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kvaalen, Laas, Lee, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Mehrens, Menahan, Murphy, Norman, Prevost, Quilici, Roberts, Rolfe, Schepens, Selstad, Staigmilller, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 72.

Noes: Asbjornson, Bell, Burnett, Campbell, Clemow, East, Galt, Holtz, Hubing, Kolstad, Mann, Marks, Olson, Schye, Seifert, Smith, Stephens, Walborn, Zimmer. Total 19.

Excused: Ellerd, Lien, Mercer, Regan, Shelden. Total 5.

Absent or not voting: Colberg, Cox, Fasbender, Kosena. Total 4.

House Bill No. 743 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Cotton, Driscoll, East, Edland, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Quilici, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Staigmilller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 90.

Noes: Bardanouve. Total 1.

Excused: Ellerd, Lien, Mercer, Regan, Shelden. Total 5.

Absent or not voting: Colberg, Cox, Hubing, Smith. Total 4.

House Bill No. 781 was passed by the following vote:

Ayes: Aageson, Ainsworth, Baeth, Bardanouve, Barrett, Baucus, Bennetts, Bradley, Brown, Cotton, Cox, Driscoll, East, Edland, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Norman, Prevost, Quilici, Roberts, Schepens, Schye, Selstad, Staigmilller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Yardley, Zimmer, Mr. Speaker. Total 81.

Noes: Bell, Brand, Burnett, Campbell, Castles, Clemow, Olson, Rolfe, Seifert, Warfield. Total 10.

Paired: Cox, Aye; Seifert, Nay.

Excused: Ellerd, Lien, Mercer, Regan, Shelden. Total 5.

Absent or not voting: Asbjornson, Colberg, Smith, Watt. Total 4.

House Joint Resolution No. 44 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Driscoll, East, Fagg, Flynn, Forsgren, Galt, Glennen, Hageman, Hager, Haines, Halvorson, R. Harper, Healy, Hodges, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marks, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Quilici, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Smith, Staigmiller, Stephens, Stoltz, Tierney, Turner, Ulmer, Walborn, Warfield, Yardley, Zimmer, Mr. Speaker. Total 80.

Noes: Bardanouve, Fasbender, Fleming, Greely, Gunderson, Hall, H. Harper, Holmes, Marbut, Swanberg, Towe, Turman, Watt. Total 13.

Excused: Ellerd, Lien, Mercer, Regan, Shelden. Total 5.

Absent or not voting: Cox, Edland. Total 2.

REPORTS OF STANDING COMMITTEES

January 25, 1974

I have examined House Bill No. 489 introduced by me and find the same to be correct.

GREELY

January 25, 1974

The following bill will be signed at adjournment on January 25, 1974, in the office of the Speaker of the House of Representatives: House Bill No. 489.

EDWIN A. SMITH, Chief Clerk
House of Representatives

January 25, 1974

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 663, respectfully report as follows: That House Bill No. 663 do pass.

MEHRENS, Chairman

Report adopted.

January 25, 1974

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 677, respectfully report as follows: That House Bill No. 677 be amended on page 3, Section 5(a), lines 6 through 15, by deleting the material beginning at: "(ii)" and ending at: "repair", and

Be further amended on page 3, Section 5(a), line 16 by deleting: "(iii)" and inserting in lieu thereof: "(ii)", and

Be further amended on page 3, line 24 through and including page 5, line 2 by omitting the material therein in its entirety and inserting in lieu thereof the following material: "(b) This shall be the only manner in which an implied warranty in a retail sale of consumer goods may be waived, and a waiver in any substantially different manner is contrary to public policy and void", and

As amended, do pass.

MEHRENS, Chairman

Report adopted.

January 25, 1974

Mr. Speaker: We, your Committee on Business and Industry, having had under

consideration House Bill No. 679, respectfully report as follows: That House Bill No. 679 do not pass.

MEHRENS, Chairman

January 25, 1974

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 684, respectfully report as follows: That House Bill No. 684 do not pass.

MEHRENS, Chairman

January 25, 1974

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 727, respectfully report as follows: That House Bill No. 727 do not pass.

MEHRENS, Chairman

January 25, 1974

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 780, respectfully report as follows: That House Bill No. 780 be amended as follows:

Amend the title, page 1, lines 7, 8, 9 and 10 by striking the following material: "To provide that disability insurance policies granting accident and sickness coverage to newborn infants shall include routine well baby coverage;", and

Further amend the title, page 1, line 10 following the word: "that" by inserting the following new material: "in disability insurance policies", and

Amend page 2, Section 1, Subsection (4), lines 16 and 17 by striking the following material: ". 'Accident and sickness coverage' as used herein includes routine well baby care.", and

Further amend page 4, Section 2, lines 15 and 16 by striking the following material: "'Accident and sickness coverage' as used herein includes routine well baby care.", and

Further amend page 8, Section 3, Subsection (7), lines 5 and 6 by striking the following material: "'Accident and sickness coverage' as used herein includes routine well baby care.", and

Further amend page 9, Section 4, lines 21 and 22 by striking them in their entirety, and

As amended, do pass.

MEHRENS, Chairman

Report adopted.

January 25, 1974

Mr. Speaker: We, your Committee on Labor and Employment Relations, having had under consideration House Bill No. 787, respectfully report as follows: That House Bill No. 787 do pass.

McKITTRICK, Chairman

Report adopted.

January 25, 1974

Mr. Speaker: We, your Committee on Labor and Employment Relations, having had under consideration House Bill No. 907, respectfully report as follows: That House Bill No. 907 do pass.

McKITTRICK, Chairman

Report adopted.

January 25, 1974

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 960, respectfully report as follows: That House Bill No. 960 do pass.

MEHRENS, Chairman

Report adopted.

January 25, 1974

Mr. Speaker: We, your Committee on Labor and Employment Relations, having had under consideration House Bill No. 1040, respectfully report as follows: That House Bill No. 1040 be amended in the title on page 1, line 16 after figure (\$3,000), by inserting the following new material: "; and providing an effective date", and

Be further amended on page 5, following line 1 by adding the following new material: "Section 4. This act shall be effective upon its passage and approval.", and

As amended, do pass.

McKITTRICK, Chairman

Report adopted.

Fasbender moved that the House adjourn until 1:30 p.m., January 26, 1974.

Motion carried.

House adjourned.

HAROLD E. GERKE, Speaker

EDWIN A. SMITH, Chief Clerk

EIGHTEENTH LEGISLATIVE DAY

Helena, Montana
January 26, 1974

House Chambers
Capitol Building

House convened at 1:30 p.m., Mr. Speaker in the Chair.

Invocation by the Chaplain.

Pledge of Allegiance to the Flag.

Roll call. All members present except Bennetts, Castles, Regan, Cox, Ellerd, Halvorson and Mercer, all excused; and Smith, absent.

Quorum present.

Mr. Speaker: We, your Committee on Bills and Journal, having examined the daily journal for the Seventeenth Legislative Day find the same to be correct.

QUILICI, Chairman

REPORTS OF STANDING COMMITTEES

January 26, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly printed: House Bill No. 576, House Bill No. 663, House Bill No. 719, House Bill No. 720, House Bill No. 769, House Bill No. 787, House Bill No. 815, House Bill No. 822, House Bill No. 848, House Bill No. 857, House Bill No. 883, House Bill No. 907, House Bill No. 960, House Bill No. 987.

QUILICI, Chairman

January 25, 1974

reported January 26, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly printed: House Bill No. 734, House Bill No. 912.

QUILICI, Chairman

January 26, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill considered correctly engrossed: House Bill No. 915.

QUILICI, Chairman

January 25, 1974

The following bills were signed in the office of the Speaker of the House of Representatives on January 25, 1974: House Bill No. 489, House Bill No. 674.

EDWIN A. SMITH, Chief Clerk
House of Representatives

January 25, 1974

Mr. Speaker: We, your Committee on Legislative Administration, recommend that the following employees be classified as pre-session employees.

Edwin A. Smith.....	Chief Clerk
Steve Helmbrecht.....	Assistant Chief Clerk
Martha McGee.....	Secretary to Chief Clerk
Lynn Massman.....	Secretary to Assistant Chief Clerk
Linda J. Barrett.....	Journal Clerk
Joyce Andrus.....	Assistant Journal Clerk
Pat Tyanich.....	Bills Clerk
Diann Fradette.....	Assistant Bills Clerk
Dennis Lester.....	Bills Coordinator
Shaun Devine.....	Assistant Bills Coordinator
Wanda McMillan.....	Chief Steno
Vickie Kroll.....	Committee Secretary
Don Scanlin.....	Sergeant-at-Arms
Elmore Ladwig.....	Assistant Sergeant-at-Arms
Kes Rigler.....	Assistant Sergeant-at-Arms
Virginia Broughton.....	Secretary to the Speaker
Roberta Murphy.....	Secretary to the Majority Leader
Kathy Fuller.....	Typist-File Clerk
Leroy Broughton, Jr.....	Doorman
Cordell Brown.....	Assistant Sergeant-at-Arms

Mr. Speaker: We also recommend Dianne Danichek be re-classified from House Payroll Clerk to House Assistant Business Manager, effective January 7, 1974.

EDLAND, Chairman

Report adopted.

January 26, 1974

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 77 respectfully report as follows: That House Bill No. 77 be amended in the key on page 1, starting with line 4 through and including the material on line 13 of the introduced bill, by omitting the material contained therein in its entirety and inserting in lieu thereof the following material: "82A-104, 82A-110, 82A-501, 82A-502, 82A-503, 82A-504, 82A-505, 82A-506, 82A-507, 82A-508, 82A-509, 82A-510, 82-3603, 82-3605", and

Be further amended in the title on page 1, line 15 after the words: "An act", by omitting the rest of the title through and including the word: "approval." on line 18 of the introduced bill, and inserting in lieu thereof the following material: "deleting reference to a Department of Education in Title 82A and inserting in lieu thereof reference to the State Board of Education; re-establishing the

governance authority for the State Historical Society, the Montana Arts Council and the State Library Commission and providing for their relationship to the State Board of Education; amending Sections 82A-104, 82A-110, 82A-501, 82A-502, 82A-507, 82A-508, 82A-509, 82-3603 and 82-3605; and repealing Sections 82A-503, 82A-504, 82A-505, 82A-506 and 82A-510, R.C.M. 1947.", and

Be further amended starting with line 22 on page 1 through and including line 4 of page 74, by omitting all the material contained therein in its entirety and inserting in lieu thereof the following material:

"Section 1. It is the intent of this act to comply with the spirit of executive reorganization and yet to acknowledge that departmentalization as set forth in the executive reorganization act of 1971 is incompatible with the constitutional and statutory structure for governance of Montana's educational and cultural entities.

Section 2. Section 82A-104, R.C.M. 1947, is amended to read as follows:

'82A-104. Structure of executive branch of state government. (1) In accordance with the constitution, all executive and administrative offices, boards, commissions, agencies, and instrumentalities of the executive branch of state government, and their respective functions, are allocated by this title among and within the following departments or entities [created by this title]:

- (a) Department of administration.
- (b) Department of agriculture.
- (c) Department of business regulation.
- (d) [Department of education.] State board of education.
- (e) Department of fish and game.
- (f) Department of health and environmental sciences.
- (g) Department of highways.
- (h) Department of institutions.
- (i) Department of intergovernmental relations.
- (j) Department of labor and industry.
- (k) Department of justice.
- (l) Department of livestock.
- (m) Department of military affairs.
- (n) Department of natural resources and conservation.
- (o) Department of professional and occupational licensing.
- (p) Department of public service regulation.
- (q) Department of revenue.
- (r) Department of social and rehabilitation services.
- (s) Department of state lands.

(2) For its internal structure, each department shall adhere to the following standard terms:

(a) The principal unit of a department is a "division." Each division shall be headed by an "administrator."

(b) The principal unit of a division is a "bureau." Each bureau shall be headed by a "chief."

(c) The principal unit of a bureau is a "section." Each section shall be headed by a "supervisor."

Section 3. Section 82A-110, R.C.M. 1947, is amended to read as follows:

'82A-110. Creation of advisory councils. (1) A department head or the governor may create advisory councils. An official of the executive branch of state government other than a department head or the governor, including the superintendents of the state's institutions and the presidents of the units of the state's university system, or an agency, may also create advisory councils, but only if federal law or regulation requires that such official or agency create the advisory council as a condition to the receipt of federal funds.

(2) Each advisory council created under this section shall be known as the "... advisory council."

(3) The creating authority shall prescribe the composition and advisory functions of each advisory council created; appoint its members, who shall serve at the pleasure of the governor; and specify a date when the existence of each advisory council ends.

(4) Advisory councils may be created only for the purpose of acting in an advisory capacity as defined in section 82A-103 (7).

(5) Unless he is a full-time salaried officer or employee of this state or of any political subdivision of this state, each member is entitled to be paid in an amount to be determined by the department head, not to exceed twenty-five dollars (\$25) for each day in which he is actually and necessarily engaged in the performance of council duties, and he is also entitled to be reimbursed for actual and necessary expenses incurred while in the performance of council duties. Members who are full-time salaried officers or employees of this state or of any political subdivision of this state are not entitled to be compensated for their service as members, but are entitled to be reimbursed for their actual and necessary expenses.

(6) Unless otherwise specified by the creating authority, at its first meeting in each year each advisory council shall elect a chairman and such other officers as it considers necessary.

(7) Unless otherwise specified by the creating authority, each advisory council shall meet at least annually and shall also meet on the call of the creating authority or the governor, and may meet at other times on the call of the chairman or a majority of its members. An advisory council may not meet outside the city of Helena without the express prior authorization of the creating authority.

(8) A majority of the membership of an advisory council constitutes a quorum to do business.

(9) Except as provided in subsection (10) of this section, an advisory council may not be created or appointed by a department head or any other official without the approval of the governor. In order for the creation or approval of the creation of an advisory council to be effective, the governor must file in his office and in the office of the secretary of state a record of the council created showing the council's:

(a) Name, in accordance with subsection (2) of this section.

(b) Composition.

(c) Names and addresses of the appointed members.

(d) Purpose.

(e) Term of existence, in accordance with subsection (11) of this section.

(10) The board of public education, the board of regents of higher education, the state board of education, the attorney general, and the superintendent of public instruction may create advisory councils, which shall serve at their pleasure, without the approval of the governor. They must file a record of each council created by them in the office of the governor and the office of the secretary of state in accordance with subsection (9) of this section.

(11) An advisory council may not be created to remain in existence longer than two (2) years after the date of its creation or beyond the period required to receive federal or private funds, whichever occurs later, unless extended by the governor, or by the board of public education, or by the board of regents of higher education,

or by the state board of education, or by the attorney general, or by the superintendent of public instruction for those advisory councils created in the manner set forth in subsection (10) of this section. If the existence of an advisory council is extended, they shall specify a new date, not more than two (2) years later, when the existence of the advisory council ends, and file a record of the order in the office of the governor and the office of the secretary of state. The existence of any advisory council may be extended as many times as necessary.'

Section 4. Section 82A-501, R.C.M. 1947, is amended to read as follows:

'82A-501. [Department—creation—head.] State board of education. [There is created a department of education.] The [department head is the] state board of education[,] is created in article [XI] X, section [11] 9, subsection (1) of the Montana constitution and is provided for in Title 75, chapter 56, R.C.M. 1947.'

Section 5. There is a new section to be numbered 82A-501.1, R.C.M. 1947, which reads as follows:

82A-501.1. Allocation to the state board of education. The state historical society, the Montana arts council, and the state library commission are allocated to the state board of education for purposes of planning and coordination. Budget requests to the state for these agencies shall be included with the budget requests of the state board of education; however, the governance, management, and control of the respective agencies shall be vested respectively in the board of trustees of the state historical society, in the Montana arts council, and in the state library commission.

Section 6. Section 82A-502, R.C.M. 1947, is amended to read as follows:

'82A-502. Agencies abolished—functions transferred to co-operative extension service. (1) The position of state entomologist of Montana, provided for in Title 82, chapter 8, R.C.M. 1947, is abolished, and the functions of the position are transferred to the co-operative extension service. [within the department.] Unless inconsistent with this act, any reference in the Revised Codes of Montana, 1947, to the state entomologist means the co-operative extension service [within the department of education].

(2) The position of state apiarist, provided for in Title 82, chapter 8, R. C. M. 1947, is abolished, and the functions of the office, except the functions contained in section 82-806, subsections 1 through 4, and section 82-807(11), R.C.M. 1947 (pertaining to enforcing the apiary laws), transferred to the department of agriculture in chapter 3 of this act, are transferred to the co-operative extension service. [within the department.] Unless inconsistent with this act, any reference in the Revised Codes of Montana, 1947, to the state apiarist, except the references in section 82-806, subsections 1 through 4, and section 82-807(11), R.C.M. 1947, means the co-operative extension service. [within the department of education].'

Section 7. Section 82A-507, R.C.M. 1947, is amended to read as follows:

'82A-507. Board of trustees of state historical society—continued [composition—function]. (1) The board of trustees of the state historical society, created in Title 44, chapter 5, R. C. M. 1947, is continued.

(2) [The board consists of fifteen (15) members, appointed by the governor to serve at his pleasure. Members of the board before the effective date of this chapter serve for the remainder of their terms; thereafter, members shall be appointed and serve in accordance with this subsection. The qualifications for board members in section 44-520, R.C.M. 1947, apply. The board may organize itself in accordance with section 44-523(1), R. C. M. 1947. Members shall be compensated and reimbursed as are members of advisory councils in section 82A-110(5) of this act.] The composition, method of appointment, terms of office, compensation, reimbursement, and qualifications of board members remain as prescribed by law.

[(3) The board shall only act in an advisory capacity to the state board of education and the director of the state historical society on matters relating to the functions of the director.]'

Section 8. Section 82A-508, R.C.M. 1947, is amended to read as follows:

'82A-508. Montana arts council [—continued—transfer]. (1) The Montana arts council, created in Title 82, chapter 36, R.C.M. 1947, and its functions are continued.

[(2) The council is transferred to the department for administrative purposes only as prescribed in section 82A-108 of this act.]

[3] (2) [Members of the council before the effective date of this chapter serve for the remainder of their terms.] The composition, method of appointment, terms of office, compensation, reimbursement, and qualifications of [board] council members remain as prescribed by law.

[(4) The director of the council shall be appointed and may be removed by the council, subject to the approval of the board of education.]

Section 9. Section 82A-509, R.C.M. 1947, is amended to read as follows:

'82A-509. State library commission—continued [—transfer]. (1) The state library commission, created in Title 44, chapter 1, R. C. M. 1947, and its functions are continued.

[(2) The commission is transferred to the department for administrative purposes only as prescribed in section 82A-108 of this act.]

[(3)] (2) [Members of the commission before the effective date of this chapter serve for the remainder of their terms.] The composition, method of appointment, terms of office, compensation, reimbursement, and qualifications of commission members remain as prescribed by law.

[(4) The state librarian shall be appointed and may be removed by the commission, subject to the approval of the board of education.]

Section 10. Section 82-3603, R.C.M. 1947, is amended to read as follows:

'82-3603. Terms of council members — chairman and vice-chairman — vacancies — expenses of members. The term of office of each member shall be five (5) years; provided, however, that of the members first appointed, five (5) shall be appointed for terms of one (1) year, five (5) for terms of three (3) years, and five (5) for terms of five (5) years. The governor shall designate a chairman and a vice-chairman from the members of the council to serve as such at the pleasure of the governor. The chairman shall be the chief executive officer of the council. [Other than the chairman, no member of the council who serves a full five (5) year term shall be eligible for reappointment during a one (1) year period following the expiration of his term.] Each vacancy shall be filled for the balance of the unexpired term in the same manner as the original appointment. The members of the council shall not receive any compensation for their services, but shall be reimbursed for their actual and necessary expenses incurred in the performance of their duties as members of the council.'

Section 11. Section 82-3605, R.C.M. 1947, is amended to read as follows:

'82-3605. Employment of officers and employees—compensation. The [chairman] council may employ, and at pleasure remove, administrative officers and other employees as may be needed and fix their compensation within the amounts made available for such purposes.'

Section 12. Sections 82A-503, 82A-504, 82A-505, 82A-506 and 82A-510, R.C.M. 1947, are repealed.

Section 13. This act shall be effective on its passage and approval.", and

As amended, do pass.

(Material in brackets denotes cancelled type.)

GUNDERSON, Chairman

Report adopted.

January 26, 1974

Mr. Speaker: We, your Committee on Judiciary, having had under consideration

House Bill No. 499, respectfully report as follows: That House Bill No. 499 be amended on page 2, Section 2, Subsection (9), line 17 after the word: "year-end" by deleting the words: "earnings price" and inserting in lieu thereof the new material: "price earnings", and

Be further amended on page 2, Section 2, Subsection (9), line 17 after the material: "ratio (" by deleting the word: "earnings" and inserting in lieu thereof the new material: "year-end price", and

Be further amended on page 2, Section 2, Subsection (9), line 18 after the words: "year-end" by deleting the material: "price per share" and inserting in lieu thereof the new material: "earnings", and

Be further amended on page 2, Section 2, Subsection (10), line 23 after the word: "company" by inserting the new material: "to the extent such information is available", and

Be further amended on page 6, Section 2, Subsection (27), line 11 after the material: "issue of" by inserting the new material: "non-bearer", and

Be further amended on page 6, Section 2, Subsection (27), line 15 after the word: "company" by inserting the new material: "for this purpose long term is any debt which is not payable on demand or not scheduled to be fully repaid within one year", and

Be further amended on page 7, Section 2, Subsection (29), line 6 after the material: "service." by adding the following new material: "(30) Report all sales of electricity and gas in each county and for each community of one thousand (1,000) population or more, in the following manner: (a) residential sales: operating revenues, kilowatt-hours or cubic feet sold, and average number of customers per month; (b) commercial and industrial sales: operating revenues, kilowatt-hours or cubic feet sold, and average number of customers per month.", and

Be further amended on page 7, Section 3, line 19 after the word: "information" by inserting the new material: "and violators of this act, shall, in addition to penalties prescribed for in Criminal Codes for the State of Montana for false swearing be subject to penalties of Section 70-110, R.C.M. 1947.", and

As amended, do pass.

HALL, Chairman

Report adopted.

January 26, 1974

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 834, respectfully report as follows: That House Bill No. 834 do not pass.

GUNDERSON, Chairman

January 26, 1974

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 908, respectfully report as follows: That House Bill No. 908 do pass.

HALL, Chairman

Report adopted.

January 26, 1974

Mr. Speaker: We, your Committee on Education, having had under consideration House Joint Resolution No. 59, respectfully report as follows: That House Joint Resolution No. 59 be amended on page 1, line 25 before the word: "problems", by omitting the word: "creates", and inserting in lieu thereof the word: "create",

Be further amended on page 2, line 10, after the word: "and", by omitting the following material: "present to the 1975 legislature,", and inserting in lieu thereof the words: "to implement", and

Be further amended on page 2, line 14, after the word: "of" by inserting the word: "those", and

Be further amended on page 2, line 15, after the word: "minorities", by inserting the following material: "represented in large numbers in Montana," and

Be further amended on page 2, after the material on line 24, by adding a new paragraph to read as follows: "The boards may submit a joint plan.", and

As amended, do pass.

GUNDERSON, Chairman

Report adopted.

January 26, 1974

Mr. Speaker: We, your Committee on Education, having had under consideration House Joint Resolution No. 60, respectfully report as follows: That House Joint Resolution No. 60 be amended on page 2, line 11, after the word: "people" by omitting the following material: "and present to the 1975 legislative assembly," and

As amended, do pass.

GUNDERSON, Chairman

Report adopted.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 679 was adopted by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bradley, Brand, Brown, Burnett, Campbell, Clemow, Colberg, Driscoll, East, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Hageman, Hager, Haines, Hall, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Quilici, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Staigmilller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Walborn, Warfield, Mr. Speaker. Total 84.

Noes: None.

Excused: Bennetts, Castles, Cox, Ellerd, Halvorson, Mercer, Regan. Total 7.

Absent or not voting: Cotton, Edland, Gunderson, Marks, Smith, Ulmer, Watt, Yardley, Zimmer. Total 9.

In accordance with the 24 hour rule, the adverse committee report on House Bill 684 was adopted by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bradley, Brown, Burnett, Clemow, Colberg, Driscoll, Edland, Fagg, Fasbender, Fleming, Flynn, Forsgren, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, H. Harper, Healy, Holtz, Hubing, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Quilici, Roberts, Rolfe, Schepens, Seifert, Selstad, Shelden, Staigmilller, Stephens, Stoltz, Swanberg, Tierney, Turman, Turner, Ulmer, Walborn, Warfield, Yardley, Zimmer, Mr. Speaker. Total 78.

Noes: R. Harper, Hodges, Lien, Towe. Total 4.

Excused: Bennetts, Castles, Cox, Ellerd, Halvorson, Mercer, Regan. Total 7.

Absent or not voting: Brand, Campbell, Cotton, East, Galt, Holmes, Huennekens, Marks, Schye, Smith, Watt. Total 11.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 727 was adopted by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bradley, Brand, Brown, Burnett, Campbell, Clemow, Colberg, Driscoll, East, Edland, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, H. Harper, R. Harper, Healy, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Quilici, Roberts, Rolfe, Schepens, Seifert, Selstad, Shelden, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Turman, Turner, Ulmer, Walborn, Warfield, Yardley, Mr. Speaker. Total 86.

Noes: Towe. Total 1.

Excused: Bennetts, Castles, Cox, Ellerd, Halvorson, Mercer, Regan. Total 7.

Absent or not voting: Cotton, Hodges, Schye, Smith, Watt, Zimmer. Total 6.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 810 was adopted by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bradley, Brand, Brown, Burnett, Campbell, Colberg, Cotton, Driscoll, East, Edland, Fagg, Fasbender, Fleming, Flynn, Forsgren, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Quilici, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Yardley, Mr. Speaker. Total 87.

Noes: None.

Excused: Bennetts, Castles, Cox, Ellerd, Halvorson, Mercer, Regan. Total 7.

Absent or not voting: Clemow, Galt, Lucas, Smith, Watt, Zimmer. Total 6.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 322 was adopted by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bradley, Brand, Brown, Burnett, Campbell, Cotton, Driscoll, East, Edland, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Murphy, Olson, Prevost, Quilici, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 87.

Noes: None.

Excused: Bennetts, Castles, Cox, Ellerd, Halvorson, Mercer, Regan. Total 7.

Absent or not voting: Clemow, Colberg, Mehrens, Menahan, Norman, Smith. Total 6.

MESSAGES FROM THE OTHER HOUSE

January 25, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day read three several times, and passed, title and history agreed to, and the bills are herewith transmitted to the House for concurrence:

Senate Bill No. 440 introduced by McKeon

Senate Bill No. 507 introduced by Mathers and Nees

Senate Bill No. 551 introduced by McGowan, Turnage and Moore

Senate Bill No. 569 introduced by Himsl, James, et al

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

MOTIONS

Fasbender moved that House Bill No. 831 be taken from the Committee on Business and Industry and referred to the Committee on Rules.

Motion carried.

Fasbender moved that House Bill No. 838 be taken from the Committee on Education and referred to the Committee on Rules.

Motion carried.

Roberts moved that House Bill No. 949 be taken from the Committee on Fish and Game and referred to the Committee on Natural Resources.

Motion carried.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following bills were introduced, read first time and referred to committees:

Senate Bill No. 440, introduced by McKeon, Moore: A bill for an act entitled: "An act creating in the Department of Law Enforcement and Public Safety a medical examiner's office and crime laboratory; providing for its administration, duties and function; altering the duties of the coroner; and repealing Sections 16-3401 through 16-3410, 25-236, 95-801, 95-802, 95-810 and 95-814, R.C.M. 1947." Referred to Committee on Public Health, Welfare and Safety.

Senate Bill No. 507, introduced by Mathers, Nees: A bill for an act entitled: "An act amending Sections 84-401, 84-437.2, 84-437.3, R.C.M. 1947, to provide that agricultural land shall be classified, appraised, and assessed according to its value for agricultural purposes; repealing Section 84-437.7; providing an effective date." Referred to Committee on Taxation.

Senate Bill No. 551, introduced by McGowan, Turnage, Moore: A bill for an act entitled: "An act amending Section 84-302, R.C.M. 1947, relating to the basis for imposition of property taxes on the various classes of taxable property in Montana; and providing an effective date." Referred to Committee on Taxation.

Senate Bill No. 569, introduced by Himsl, James, Mathers, Breeden: A bill for an act entitled: "An act to amend Section 75-5931, R.C.M. 1947, to change mileage reimbursement rate for school trustees to and from the trustees' meeting place from eight cents (\$.08) to twelve cents (\$.12) for every mile necessarily traveled; and providing an effective date." Referred to Committee on Education.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Fasbender moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading, under the rules of the previous sitting.

Motion carried.

Norman in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

January 26, 1974

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That House Bill No. 671 do pass. (86-0)

That House Bill No. 682 do pass. (84-5)

Hall replaces Norman in the Chair at this time.

That House Bill No. 734 do pass. (90-0)

Norman resumes the Chair at this time.

That House Bill No. 753 be amended in Section 1, Subsection (4), page 4, line 3 following the words and punctuation: "city or town." by adding the following language: "The city or town may not initiate annexation procedures and rely upon said waivers unless the city or town can furnish residents of the area to be annexed the same services as are furnished to residents of the city or town." (77-7), and

As amended, do not pass. (45-44)

That House Bill No. 778 be amended in Section 1, page 1, line 18 of the second reading bill by striking all the material as follows: "displayed on two places on his head, or chest and back" and inserting in lieu thereof the words: "above the waist" (87-0), and

As amended, do pass. (84-4)

That House Bill No. 816 do not pass. (64-21)

That House Bill No. 872 do pass. (87-2)

That House Bill No. 912 do pass. (82-0)

That House Bill No. 925 be passed for the day.

That House Bill No. 928 do pass. (83-5)

That Senate Bill No. 510 be concurred in. (86-0)

That the committee rise and report.

NORMAN, Chairman

Report adopted.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 232 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bradley, Brand, Brown, Burnett, Campbell, Clemow, Colberg, Cotton, Driscoll, East, Edland, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Menahan, Mehrens, Murphy, Norman, Olson, Prevost, Quilici, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 91.

Noes: None.

Excused: Bennetts, Castles, Cox, Ellerd, Halvorson, Mercer, Regan. Total 7.

Absent or not voting: Fagg, Kessner. Total 2.

House Bill No. 233 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bradley, Brand, Brown, Burnett, Campbell, Clemow, Colberg, Cotton, Driscoll, East, Edland, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely,

Gunderson, Hageman, Hager, Haines, Hall, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Quilici, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 92.

Noes: None.

Excused: Bennetts, Castles, Cox, Ellerd, Halvorson, Mercer, Regan. Total 7.

Absent or not voting: Fagg. Total 1.

House Bill No. 412 was passed by the following vote:

Ayes: Baeth, Baucus, Bradley, Brand, Brown, Colberg, Cotton, Driscoll, Edland, Fasbender, Fleming, Flynn, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Huennekens, Jacobsen, Johnston, Kendall, Kimble, Kosena, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lynch, McKittrick, Manuel, Marbut, Mehrens, Menahan, Murphy, Norman, Prevost, Quilici, Roberts, Rolfe, Schepens, Schye, Shelden, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 66.

Noes: Ageson, Ainsworth, Asbjornson, Barrett, Bell, Burnett, Campbell, Clemow, East, Forsgren, Galt, Hubing, Jones, Kessner, Kolstad, Kvaalen, Lundgren, Mann, Marks, Olson, Seifert, Selstad, Smith. Total 23.

Excused: Bennetts, Castles, Cox, Ellerd, Halvorson, Mercer, Regan. Total 7.

Absent or not voting: Bardanouve, Fagg, Turner, Zimmer. Total 4.

House Bill No. 628 was passed by the following vote:

Ayes: Ainsworth, Baeth, Bardanouve, Barrett, Baucus, Bradley, Brand, Brown, Campbell, Clemow, Colberg, Cotton, Driscoll, Edland, Fagg, Fasbender, Fleming, Flynn, Forsgren, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, H. Harper, R. Harper, Healy, Hodges, Holmes, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kimble, Kosena, Laas, Lee, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Mehrens, Menahan, Murphy, Norman, Olson, Quilici, Roberts, Schepens, Seifert, Shelden, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Ulmer, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 72.

Noes: Ageson, Asbjornson, Bell, Burnett, East, Galt, Holtz, Hubing, Kessner, Kolstad, Kvaalen, Lien, Marks, Rolfe, Schye, Selstad, Smith, Turner, Walborn. Total 19.

Paired: Fagg, Aye; Kvaalen, Nay.

Excused: Bennetts, Castles, Cox, Ellerd, Halvorson, Mercer, Regan. Total 7.

Absent or not voting: Mann, Prevost. Total 2.

House Bill No. 664 was passed by the following vote:

Ayes: Ageson, Ainsworth, Baeth, Bardanouve, Baucus, Bell, Bradley, Brown, Burnett, Campbell, Clemow, Colberg, Cotton, Driscoll, East, Edland, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Haines, Hall, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Norman, Prevost, Quilici, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 83.

Noes: Asbjornson, Barrett, Brand, Hager, Olson, Smith, Staigmillier, Walborn. Total 8.

Excused: Bennetts, Castles, Cox, Ellerd, Halvorson, Mercer, Regan. Total 7.

Absent or not voting: Fagg, Roberts. Total 2.

House Bill No. 686 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bradley, Brown, Campbell, Clemow, Colberg, Cotton, Driscoll, East, Edland, Fagg, Fasbender, Fleming, Flynn, Forsgren, Greely, Gunderson, Hageman, Hager, Haines, Hall, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kimble, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Norman, Prevost, Quilici, Roberts, Rolfe, Schepens, Schye, Seifert, Shelden, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 80.

Noes: Bell, Brand, Burnett, Glennen, Kessner, Kolstad, Mann, Olson, Selstad, Smith, Walborn, Zimmer. Total 12.

Paired: Fagg, Aye; Glennen, Nay.

Excused: Bennetts, Castles, Cox, Ellerd, Halvorson, Mercer, Regan. Total 7.

Absent or not voting: Galt. Total 1.

House Bill No. 772 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bradley, Brand, Brown, Burnett, Campbell, Clemow, Colberg, Cotton, Driscoll, East, Edland, Fasbender, Fleming, Flynn, Forsgren, Glennen, Gunderson, Hageman, Hager, Haines, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Quilici, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 88.

Noes: None.

Excused: Bennetts, Castles, Cox, Ellerd, Halvorson, Mercer, Regan. Total 7.

Absent or not voting: Fagg, Galt, Greely, Hall, Lombardi. Total 5.

House Bill No. 789 was passed by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bradley, Brand, Brown, Burnett, Campbell, Clemow, Colberg, Cotton, Driscoll, East, Edland, Fasbender, Fleming, Flynn, Forsgren, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Quilici, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 89.

Noes: Ainsworth, Lockrem. Total 2.

Excused: Bennetts, Castles, Cox, Ellerd, Halvorson, Mercer, Regan. Total 7.

Absent or not voting: Fagg, Galt. Total 2.

House Bill No. 845 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Brand, Brown, Burnett, Clemow, Colberg, Cotton, East, Edland, Fasbender, Fleming, Flynn, Forsgren, Glennen, Greely, Hageman, Haines, Hall, H. Harper, R. Harper, Healy, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Lee, Lien, Lockrem,

Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Quilici, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 80.

Noes: Bradley, Driscoll, Gunderson, Hager, Hodges, Smith, Staigmiller, Walborn. Total 8.

Excused: Bennetts, Castles, Cox, Ellerd, Halvorson, Mercer, Regan. Total 7.

Absent or not voting: Campbell, Fagg, Galt, Holtz, Laas. Total 5.

House Bill No. 879 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bell, Brand, Burnett, Campbell, Clemow, Cotton, East, Fleming, Flynn, Galt, Glennen, Hageman, Haines, Hall, Healy, Holtz, Hubing, Jacobsen, Johnston, Jones, Kendall, Kessner, Kolstad, Kosena, Kvaalen, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, Mann, Manuel, Marks, Menahan, Olson, Prevost, Quilici, Rolfe, Schepens, Schye, Seifert, Selstad, Smith, Staigmiller, Tierney, Turner, Ulmer, Walborn, Warfield, Zimmer, Mr. Speaker. Total 58.

Noes: Bardanouve, Barrett, Baucus, Bradley, Brown, Colberg, Driscoll, Edland, Fagg, Fasbender, Forsgren, Greely, Gunderson, Hager, H. Harper, R. Harper, Hodges, Holmes, Huennekens, Kimble, Laas, McKittrick, Marbut, Mehrens, Murphy, Norman, Roberts, Shelden, Stephens, Stoltz, Swanberg, Towe, Turman, Watt, Yardley. Total 35.

Paired: Kvaalen, Aye; Fagg, Nay.

Excused: Bennetts, Castles, Cox, Ellerd, Halvorson, Mercer, Regan. Total 7.

Absent or not voting: None.

House Joint Resolution No. 38 was passed by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Barrett, Baucus, Bell, Brand, Brown, Burnett, Campbell, Clemow, Cotton, Driscoll, East, Edland, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Hager, Haines, Hall, R. Harper, Healy, Hubing, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lynch, McKittrick, Marks, Mehrens, Menahan, Murphy, Norman, Prevost, Quilici, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Staigmiller, Stephens, Stoltz, Ulmer, Walborn, Warfield, Zimmer, Mr. Speaker. Total 67.

Paired: Fagg; Aye; Colberg, Nay.

Noes: Ainsworth, Bardanouve, Bradley, Colberg, Greely, Gunderson, Hageman, H. Harper, Hodges, Holmes, Holtz, Huennekens, Mann, Marbut, Swanberg, Tierney, Towe, Turman, Turner, Watt, Yardley. Total 21.

Excused: Bennetts, Castles, Cox, Ellerd, Halvorson, Mercer, Regan. Total 7.

Absent or not voting: Lundgren, Manuel, Olson, Shelden, Smith. Total 5.

MESSAGES FROM THE OTHER HOUSE

January 26, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was this day read three times and concurred in as amended, title and history agreed to and the said bill is herewith returned to the House for concurrence in Senate amendments:

House Bill No. 22 introduced by Ainsworth and Gerke (by request)

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

January 26, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was this day on Committee report, not concurred in, report adopted, and the bill is herewith returned to the House:

House Bill No. 36 introduced by Watt, Norman, et al

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

January 26, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read three times and concurred in, title and history agreed to and the said bills are herewith returned to the House:

House Bill No. 631 introduced by the House Rules Committee

House Bill No. 641 introduced by Fasbender

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

Fasbender moved that the House adjourn until 1:30 p.m., January 28, 1974.

Motion carried.

House adjourned.

HAROLD E. GERKE, Speaker

EDWIN A. SMITH, Chief Clerk

NINETEENTH LEGISLATIVE DAY

Helena, Montana
January 28, 1974

House Chambers
Capitol Building

House convened at 1:30 p.m., Mr. Speaker in the Chair.

Invocation by the Chaplain.

Pledge of Allegiance to the Flag.

Roll call. All members present except Clemow, East, Ellerd, Lombardi, Marbut and Mercer, all excused.

Quorum present.

Mr. Speaker: We, your Committee on Bills and Journal, having examined the daily journal for the Eighteenth Legislative Day, find the same to be correct.

QUILICI, Chairman

REPORTS OF STANDING COMMITTEES

January 28, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill correctly engrossed: House Bill No. 779.

QUILICI, Chairman

January 28, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills considered correctly engrossed: House Bill No. 671; House Bill No. 682; House Bill No. 734, House Bill No. 872, House Bill No. 912, House Bill No. 928.

QUILICI, Chairman

January 28, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills and resolution correctly printed: House Bill No. 677, House Bill No. 780, House Bill No. 908, House Joint Resolution No. 60.

QUILICI, Chairman

January 28, 1974

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bill No. 674, do hereby report that said bill, together with a copy thereof, signed by the Speaker of the House and President of the Senate, was this day, at the hour of 9:00 o'clock, A.M., delivered to the Governor for his approval.

QUILICI, Chairman

January 24, 1974

Mr. Speaker: We, your Committee on Natural Resources, having had under consideration House Bill No. 600, respectfully report as follows: That House Bill No. 600 be amended in the second reading bill as follows:

Amend on page 1, line 15 by striking: "82,-3001" and inserting in lieu thereof: "82-3001", and

Further amend on page 1, line 16 by striking: "82A-1511" and inserting in lieu thereof: "82A-1506, 82A-1507.1, 82A-1508 through 82A-1512", and

Further amend on page 1, line 19 following: "89-117" by inserting: "through 89-120, 89-124", and

Further amend on page 1, line 20 following: "89-312," by inserting: "89-312.1,", and

Further amend on page 1, line 22 by striking: "89-702, 89-702.1, 89-801,", and

Further amend on page 1, line 23 by striking: "89-801.2,", and

Further amend on page 1, line 23 by striking: "89-809, 89-813,", and

Further amend on page 1, line 23 by striking: "89-847", and

Further amend on page 1, line 24 by striking: "through 89-849, 89-851,", and

Further amend on page 1, line 25 by striking: "89-1001,", and

Further amend on page 2, line 1 by striking: "89-2913" and inserting in lieu thereof: "89-2914", and

Further amend on page 2, line 1, by striking "89-2924" and inserting in lieu thereof "89-2918", and

Further amend on page 2, line 1, following "89-2927," by inserting "89-2928.1,", and

Further amend on page 2, line 2 following the first word "through" by inserting "89-2934, 89-2934.1,", and

Further amend on page 2, line 2 following "89-3403" by inserting ", 89-3405", and

Further amend on page 58, Section 49, Subsection (1), line 12 by striking the following: "and provided further, that no such", and

Further amend on page 102, Section 80, lines 24 and 25, and on page 103, lines 1 and 2, by striking or omitting the material therein in its entirety beginning with the word "This" on line 24, page 102 and continuing through the word and punctuation "information." on page 103, line 2, and

Further amend on page 103, Section 81, Subsection (a), line 21 by striking the words "one-fourth" and inserting in lieu thereof the words "three-eighths", and

Further amend on page 103, Section 81, Subsection (a), line 22 by striking "¹/₄¢" and inserting in lieu thereof "³/₈¢", and

Further amend on page 103, Section 81, Subsection (b), line 25 by striking the words "one-half" and inserting in lieu thereof the words "three-fourths", and

Further amend on page 104, Section 81, Subsection (b), line 1 by striking "¹/₂¢" and inserting in lieu thereof "³/₄¢", and

Further amend on page 104, Section 81, Subsection (c), line 5 by striking "one (1) mill" and inserting in lieu thereof "two and one-half (2 ¹/₂) mills", and

Further amend on page 104, Section 81, Subsection (c), line 6 following the word: "gas" by inserting the following: "where said gas is marketed for less than fifteen cents (15¢) per thousand (1,000) cubic feet and an assessment not to exceed five (5) mills per ten thousand (10,000) cubic feet of natural gas where said gas is marketed for fifteen cents (15¢) or more per thousand (1,000) cubic feet", and

Further amend on page 106, Section 81, Subsection (4), line 2 following the word: "well" by inserting the following: "or stratigraphic test well or core hole", and

Further amend on page 106, Section 81, Subsection (4), line 3 by striking the word: "commission" and inserting in lieu thereof the word: "board", and

Further amend on page 135, Section 92, Subsection (1), line 10 following the word: "shall" by inserting the following: ", if there are no incorporated municipalities within the boundaries of said district.", and

Further amend on page 135, Section 92, following Subsection (1), between lines 12 and 13 by inserting the following new subsections:

(2) In all cases where the boundaries of such conservation district include any incorporated municipality or municipalities, said board of supervisors, in addition to said five (5) elected supervisors, shall consist of two (2) appointed supervisors, making a total of seven (7) supervisors in such districts. The two (2) appointed supervisors must be residents of the municipalities within the district. The legislative bodies of the incorporated municipalities within the district shall, after consultation with the elected supervisors, appoint the two (2) additional supervisors. The term of office of the appointed supervisors shall be three (3) years.

(3) Where there are more than two (2) incorporated municipalities within a district, then the two (2) appointed supervisors shall represent all the municipalities and urban interests in the district, and no municipality shall have more than one (1) appointed supervisor residing therein.", and

Further amend on page 135, Section 92, Subsection (2), line 13 by striking the Subsection number: "(2)" and inserting in lieu thereof the new subsection number: "(4)", and

Further amend on page 135, Section 92, Subsection (2), line 18 by striking the word: "A" and inserting in lieu thereof the words: "An elected", and

Further amend on page 135, Section 92, Subsection (2), line 20 following the word: "of" by inserting the words: "an elected", and

Further amend on page 136, Section 92, Subsection (3), line 5 by striking the subsection number: "(3)" and replacing it with the number: "(5)", and

Further amend on page 136, Section 92, Subsection (4), line 21 by renumbering Subsection "(4)" to be Subsection "(6)", and

Further amend on page 137, Section 92, Subsection (5), line 6 by renumbering Subsection "(5)" to be Subsection "(7)", and

Further amend on page 151, Section 96, Subsection (2), lines 7 and 8 by omitting the following: "and with other available information", and

Further amend on page 155, Section 100, line 22 by striking the words: "lumbering practice" and inserting in lieu thereof the words: "forest management practices", and

Further amend on page 166, Section 115, following Subsection (2), between lines 8 and 9 by inserting the following new subsection: "(3) Portable sawmill regulation (title 28, chapter 8);" and renumber Subsections "(3)", "(4)", and "(5)" to conform numerically, and

Further amend on page 166, Section 115, following Subsection (5), between lines 12 and 13 by inserting the following new subsection: "(7) Utility sites (title 70, chapter 8);" and renumber subsequent Subsections "(6)" and "(7)" to conform numerically as "(8)" and "(9)", and

Further amend on page 166, Section 115, Subsection (8), lines 16 and 17 by omitting the material therein in its entirety, and renumber subsequent subsections to conform numerically, and

Further amend on page 167, lines 4 through 25, and on page 168, lines 1 through 13, which is all of Section 116, by striking and omitting the material contained therein in its entirety, and renumber subsequent sections to conform numerically, and

Further amend on page 169, Section 118, Subsection (2), line 19 by striking: "five (5)" and inserting in lieu thereof: "seven (7)", and

Further amend on page 169, Section 118, Subsection (2), line 24 following the number and punctuation: "[1947.]" by inserting the following: "[The other two (2) members are members at large.]"

Further amend on page 175, lines 18 through 25, and page 176, lines 1 through 9 in Section 123, by striking and omitting the material contained therein in its entirety and inserting in lieu thereof the following:

"89-103.2. Powers and duties of department subject to approval of board. The department may not acquire by appropriation or otherwise a water right or interest therein and may not acquire real property or an interest therein (except rights of access for the purpose of construction, operation, or maintenance of works) or mortgage or otherwise create a lien on the same or dispose of in any manner water rights or real property or interests therein without prior approval of the board. The department may not construct or cause to be constructed or contract for the construction of works or projects without prior approval of the board. The department may not loan funds to a person or water user association for the purpose of constructing or maintaining works without prior approval of the board."

Further amend on page 176, Section 124, Subsection (1), line 14 after the word: "board" by inserting the following: "under section 89-103.2", and

Further amend on page 178, Section 125, Subsection (1), line 10 by striking the word: "department" and inserting in lieu thereof the word: "department", and

Further amend on page 178, Section 125, Subsection (1), following line 25 by inserting the following new subsection: "(2) However, should the bid of the lowest responsible bidder on any capital improvement associated with public works as defined in this section exceed the department estimates of the cost of the improvements by more than five per cent (5%), the department shall obtain approval from the water user association before the bid is accepted; however, capital improvements of an emergency nature necessary to protect life or property or to supply immediate needs for water do not require such approval.", and renumber subsequent subsections to conform numerically, and

Further amend on page 188, lines 23 through 25, and on page 189, lines 1 through 25, and on page 190, lines 1 through 25, and on page 191, lines 1 and 2, Section 130, Subsections (1) through (3), by striking and omitting all of the material contained therein in its entirety and inserting in lieu thereof the following:

"89-115. (349.12) Water funds — rates — sale of water — appeals to board — lease and sale of water rights and property. (1) Subject to this act and section 89-103.2, the department may fix and establish the prices, rates and charges at which the resources and facilities made available under this act may be sold and disposed of; enter into contracts and agreements, and do those things which in its judgment are necessary, convenient or expedient for the accomplishment of the purposes and objects of this act, under such general regulations and upon such terms, limitations and conditions as it prescribes; the department shall enter into the contracts and fix and establish the prices, rates and charges so as to provide at all times funds which will be sufficient to pay all costs of operation and maintenance of the works authorized by this act, together with necessary repairs thereto, and which will provide at all times sufficient funds to meet and pay the principal and interest of all bonds or loans as they severally become due and payable; this act does not authorize any change, alteration, or revision of those rates, prices or charges as established by any contract entered into under this act except as provided by the contract.

(2) An incorporated water users' association that is sustaining and responsible for the operations of a works is solely liable for any court action which may be brought against it or the state of Montana for any injury or damages occurring on the works caused by a failure to maintain safe working and operating conditions.

(3) A contract made by the department for the sale of water, use of water, water storage or other service, or for the sale of any property or facilities, shall provide that in the event of a failure or default in the payment of moneys specified in the contract to be paid to the department, the department may, upon notice as is prescribed in the contract, terminate the contract and all obligations thereunder. The act of the department in ceasing on default to furnish or deliver water, use of water, water storage or other service under the contract does not deprive the department of, or limit any remedy provided by the contract or by law for the recovery of moneys due or which may become due under the contract.

(4) (a) A person aggrieved by a decision of the department to terminate any contract under Subsection (3) may appeal to the board and be heard thereon by filing written notice of the appeal with the department within ten (10) days after receiving notice of termination of the contract from the department. The termination of the contract shall be stayed if an appeal is taken.

(b) If a dispute arises between the department and another party regarding amounts owing or the terms and conditions under a water marketing or water purchase contract, or under a contract for the construction or repair of works, that party may appeal to the board for a hearing thereon and a resolution of the dispute by filing written notice of the appeal with the department within thirty (30) days after the final decision of the department regarding the dispute.

(5) Subject to the approval of the board under section 89-103.2, the department may sell, transfer to water user associations, abandon or otherwise dispose of any rights of way, easements or property when it determines that they are no longer needed for the purposes of this act, or lease or rent the same or otherwise take and receive the income or profit and revenue therefrom. A determination shall be made by the department as to the market value of rights of way, easements or property to be sold, transferred, abandoned or otherwise disposed of. All income or profit and revenue of the works and all moneys received from the sale or disposal of water, use of water, water storage, or other service, and from the operation, lease, sale or other disposition of the works, property and facilities acquired under this act, shall be deposited to the state general fund.", and

Further amend on page 196, lines 17 through 25, on page 197, lines 1 through 25, on page 198, lines 1 through 25, and on page 199, lines 1 through 23, Sections 136 through 138, by omitting all of the material contained therein in its entirety; and renumbering subsequent sections so they conform numerically; and

Further amend on page 206, Section 144, lines 24 and 25, and on page 207, lines 1 through 12, by striking and omitting all of the material contained therein in its entirety and inserting in lieu thereof the following:

"89-310. Definitions. Unless the context requires otherwise, in this chapter:

(1) "Weather modification and control" means changing or controlling, or attempting to change or control, by artificial methods, the natural development of atmospheric cloud forms or precipitation forms which occur in the troposphere.

(2) "Research and development" means theoretical analysis, exploration and experimentation, and the extension of investigative findings and theories of a scientific and technical nature into practical application for experimental and demonstration purposes, including the experimental production and testing of models, devices, equipment, materials, and processes.

(3) "Department" means the department of natural resources and conservation as provided for in title 82A, chapter 15.

(4) "Board" means the board of natural resources and conservation provided for in section 82A-1509.", and

Further amend on page 207, lines 13 through 25, and on page 208, lines 1 through 4, Section 145, by striking all of the material contained therein in its entirety, and inserting in lieu thereof the following: "Section 145. Section 89-312.1, R.C.M. 1947, is amended to read as follows:

'89-312.1. Standards for research in weather modification control. The board may establish by rule standards and instructions to govern the carrying out of research and development or projects in weather modification and control as it deems necessary or desirable to minimize danger to health, safety, welfare or property.'", and

Further amend on page 208, lines 7 through 20, Section 146, by striking all of the material contained therein in its entirety and inserting in lieu thereof the following:

"89-314. Department to review applications—exemptions. The department shall review all applications for weather modification activities and the board may provide by rule for exempting from the license and permit requirements of this act:

(1) research and development, and experiments by state and federal agencies, institutions of higher learning and bona fide nonprofit research organizations and their agents;

(2) laboratory research and experiments;

(3) activities of an emergency character for protection against fire, frost, sleet, or fog; and

(4) activities normally engaged in for purposes other than those of inducing, increasing, decreasing, or preventing precipitation or hail.", and

Further amend on page 209, lines 3 through 22, Section 148, by striking all of the material contained therein in its entirety and inserting in lieu thereof the following:

"89-318. Issuance of permits — requirements for permit — hearing. (1) The permits shall be issued in accordance with procedures and subject to conditions the board may by rule establish to effectuate this chapter, only:

(a) if the applicant is licensed pursuant to this chapter;

(b) if sufficient notice of intention is published and proof of publication is filed as required in section 89-322;

(c) if an applicant furnishes proof of financial responsibility in an amount to be determined by the board as required in section 89-323;

(d) if the fee for the permit is paid as required in section 89-324;

(e) if the weather modification and control activities to be conducted are determined by the board to be for the general welfare and the public good;

(2) The department shall hold a public hearing in the area to be affected by the issuance of the permit, if the board determines that a hearing is necessary. The department may in its discretion assess the permit applicant for the costs incurred by the department in holding the hearing.", and

Further amend on page 216, lines 11 through 25, page 217, lines 1 through 25, page 218, lines 1 through 25, page 219, lines 1 through 25, page 220, lines 1 through 25, and on page 221, lines 1 through 12, which is all of Sections 159, 160, 161, and 162, by omitting all of the material contained therein in its entirety; and renumber the following section to conform numerically, and

Further amend on page 222, lines 11 through 25, page 223, lines 1 through 25, page 224, lines 1 through 25, page 225, lines 1 through 25, page 226, lines 1 through 25, and page 227, lines 1 through 11, which is all of Sections 164 through 169, by omitting all of the material contained therein in its entirety; and renumber the following sections to conform numerically; and

Further amend on page 232, line 25, page 233, lines 1 through 25, page 234, lines 1 through 25, and on page 235, lines 1 through 8, which is all of Section 178, by omitting all of the material contained therein in its entirety; and renumber subsequent sections to numerically conform; and

Further amend on page 240, lines 2 through 25, page 241, lines 1 through 25, and on page 242, lines 1 through 8, Section 182, by striking all of the material contained therein in its entirety, and inserting in lieu thereof the following:

"89-2911. Definitions. Unless the context requires otherwise, in this chapter:

(a) "Ground water" means any fresh water beneath the land surface or beneath the bed of a stream, lake, reservoir or other body of surface water, and which is not a part of that surface water. Fresh water shall be deemed to be water fit for domestic, livestock or agricultural use. The department, after notice and hearing, may fix definite standards for determining fresh water in any controlled ground water area or subarea of the state.

(b) "Aquifer" means any underground geological structure or formation which is capable of yielding water or is capable of recharge.

(c) "Well" means any artificial opening or excavation in the ground, however made, by which ground water can be obtained or through which it flows under natural pressures or is artificially withdrawn.

(d) "Beneficial use" means a use of water for the benefit of the appropriator, other persons or the public, including, but not limited to, agricultural (including stock water), domestic, fish and wildlife, industrial, irrigation, mining, municipal, power, and recreational uses.

(e) "Person" means an individual, association, partnership, corporation, state agency, political subdivision, and the United States or any agency thereof.

(f) "Department" means the department of natural resources and conservation provided for in title 82A, chapter 15.

(g) "Ground water area" means an area which, as nearly as known facts permit, may be designated so as to inclose a single and distinct body of ground water, which shall be described horizontally by surface description in all cases and which may be limited vertically by describing known geological formations should conditions dictate this to be desirable. For purposes of administration, large ground water areas may be divided into convenient administrative units "known as subareas."

(h) "Board" means the board of natural resources and conservation provided for in section 82A-1509," and

Further amend on page 242, lines 9 through 25, page 243, lines 1 through 25, page 244, lines 1 through 25, page 245, lines 1 through 25, page 246, lines 1 through 25, and page 247, lines 1 through 3, which is all of Section 183, by omitting all of the material contained therein in its entirety; and renumbering subsequent sections to comply numerically; and

Further amend on page 249, lines 9 through 25, and on page 250, lines 1 through 25, and on page 251, lines 1 through 8, Section 185, Subsections (1), (2), and (3), by striking all of the material contained therein in its entirety and inserting in lieu thereof the following:

"89-2915. Limiting withdrawals—hearing and order. (1) At the time set for the

hearing the board, if it is satisfied that the notice of hearing has been duly published and mailed as required by section 89-2914, shall proceed to hear evidence and may consider information which the department has duly obtained under this act, and after the conclusion of the hearing shall make written findings and an order. If the board finds on the basis of the hearing and other information obtained by the department that the withdrawal of ground water in such area or subarea exceeds the safe annual yield of ground water as measured by the recharge of the area or subarea, it shall order the aggregate withdrawal of ground water from such area or subarea decreased so that it shall not exceed such annual yield. Except for domestic use, such decrease shall conform to the priority of the pertinent rights and shall prevail for the term of shortage in the available supply. The department may enforce the order; require persons to cease such excessive withdrawals in reverse order of their priority of rights; and bring an action for an injunction in a district court of a district in which all or part of the area affected is located, in addition to all other remedies.

(2) The order of the board shall be published and mailed by the department in the manner and for the length of time as prescribed by section 89-2914 for the publication and mailing of the notice of hearing except that a copy of the written findings of the board shall be mailed instead of a copy of the proposal, and except further, that a copy of the order together with a copy of the written findings shall be mailed to each petitioner at his last known address. Upon publication and mailing of such order, as prescribed herein, the order shall be final and conclusive unless an appeal therefrom is taken.

(3) Once a petition has been filed and an order has been made limiting the withdrawal of ground water from a particular ground water area or subarea, as provided in this section, the board may after notice and hearing as heretofore provided in this section, modify or revoke its order upon a showing by any interested party and a finding by the board that conditions have materially changed since the prior order. While a matter is pending before the board, the department may restrict further development of the subarea.", and

Further amend on page 253, lines 1 through 24, Section 187, Subsections (1) and (2), by striking all of the material contained therein in its entirety and inserting in lieu thereof the following:

"89-2917. Scope of administrative hearing. (1) In a hearing for the ascertainment and finding of priorities to the use of ground water, the department in its finding and order shall confirm, modify, alter or amend any prior order designating and modifying the boundaries of the ground water area or subarea involved, as the evidence justifies, shall determine the priority of rights and the quantity of ground water to which each appropriator, who is a party to the proceedings, is entitled in the particular ground water area or subarea, and shall find and determine any other matter necessary to the ascertainment of priorities of such existing rights to ground water. It may also determine the level below which the ground water may not be drawn by appropriators. The department shall act in administering and enforcing the order, as provided in Section 89-2915.

(2) A copy of the order shall be recorded in the office of the clerk and recorder of each county in which the particular ground water area or subarea is located. If the order is not appealed, the order of the department shall be final and conclusive when it is published and mailed as provided for orders issued under section 89-2915.", and

Further amend on page 254, lines 2 through 25, and on page 255, lines 1 through 6, Section 188, by striking all of the material contained therein in its entirety and inserting in lieu thereof the following:

"89-2918. Permit required to appropriate in controlled area. A person may appropriate ground water in a controlled area only by applying for and receiving a permit from the department in accordance with the Montana Water Use Act. The department may not grant a permit if the withdrawal would be beyond the capacity of the aquifer or aquifers in the ground water area to yield ground water within a reasonable or feasible pumping lift (in the case of pumping developments) or within a reasonable or feasible reduction of pressure (in the case of artesian developments).", and

Further amend on page 255, lines 7 through 25, and on page 256, lines 1 through 21, Sections 189 and 190, by omitting all of the material contained therein in its entirety; and renumbering following sections to conform numerically; and

Further amend on page 258, Section 192, between lines 20 and 21 by inserting the following:

"Section 192.1. Section 89-2928.1, R.C.M. 1947, is amended to read as follows:

'89-2928.1. Well logs. Within sixty (60) days after any well is completed, the driller shall file with the department a well log report on a form provided by the department at its offices and at the offices of the county clerks and recorders. The department may return the report for refiling if it is incomplete or incorrect. The department shall provide a copy of the complete and correct well log to the Montana bureau of mines and geology."', and

Further amend on page 261, Section 198, lines 1 through 10, following the second word: "Section" by striking all of the material contained therein in its entirety and inserting in lieu thereof the following:

"89-2934.1, R.C.M. 1947, is amended to read as follows:

'89-2934.1. Hearings before board—Administrative Procedure Act. (1) A person who is aggrieved by a final decision of the department under this chapter, is entitled to a hearing before the board.

(2) The Montana Administrative Procedure Act (82-4201 to 82-4225) governs administrative proceedings under this chapter."', and

Further amend on page 264, lines 6 through 18, all of Section 201, by omitting all of the material contained therein in its entirety; and renumbering following sections to conform numerically; and

Further amend on page 265, Section 202, Subsection (2), Sub-subsection (g), line 19 by striking the word: "conservation" and omitting the word: "commission", and

Further amend on page 266, Section 204, line 22 by striking the word: "conservation"; and

Further amend on page 266, Section 204, line 23 by omitting the word "commission", and

Further amend on page 274, lines 15 through 25, page 275, lines 1 through 25, page 276, lines 1 through 25, page 277, lines 1 through 9, Section 213, by striking all of the material contained therein in its entirety, and inserting in lieu thereof the following:

"89-3503. Definitions. As used in this chapter, unless the context otherwise requires:

(1) "a flood of one hundred (100) year frequency" means a flood magnitude expected to recur on the average of once every one hundred (100) years, or a flood magnitude which has a one per cent (1%) chance of occurring in any given year;

(2) "Artificial obstruction" means any obstruction which is not a natural obstruction;

(3) "Channel" means the geographical area within either the natural or artificial banks of a watercourse or drainway;

(4) "Board" means the board of natural resources and conservation provided for in section 82A-1509;

(5) "Department" means the department of natural resources and conservation provided for in title 82A, chapter 15;

(6) "Designated floodway" means a floodway whose limits have been designated and established by order of the board;

(7) "Drainway" means any depression two (2) feet or more below the surrounding land serving to give direction to a current of water less than nine (9) months of

the year, having a bed and well-defined banks; provided, that in the event of doubt as to whether a depression is a watercourse or drainway, it shall be presumed to be a watercourse;

(8) "Flood" means the water of any watercourse or drainway which is above the bank or outside the channel and banks of such watercourse or drainway;

(9) "Floodway" means the channel of a watercourse or drainway and those portions of the floodplain adjoining the channel which are reasonably required to carry and discharge the flood water of any watercourse or drainway;

(10) "Floodway-encroachment lines" means the lines limiting a designated floodway;

(11) "Floodplain" means the area adjoining the watercourse or drainway which has been or may hereafter be covered by flood water;

(12) "Establish" means construct, place, insert, or excavate;

(13) "Natural obstruction" means any rock, tree, gravel, or analogous natural matter that is an obstruction and has been located within the floodway by a nonhuman cause;

(14) "Obstruction" means any dam, wall, riprap, embankment, levee, dike pile, abutment, projection, revetment, excavation, channel rectification, bridge, conduit, culvert, building, refuse, automobile body, fill, or other analogous structure or matter in, along, across, or projecting into any floodway which may impede, retard or change the direction of the flow of water, either in itself or by catching or collecting debris carried by the water, or that is placed where the natural flow of the water would carry the same downstream to the damage or detriment of either life or property;

(15) "Owner" means any person who has dominion over, control of, or title to an obstruction;

(16) "Political subdivision" means any incorporated city or town or any county organized and having authority to adopt and enforce land-use regulations; and

(17) "Watercourse" means any depression two (2) feet or more below the surrounding land serving to give direction to a current of water at least nine (9) months of the year, having a bed and well-defined banks; provided, that it shall, upon order of the board, also include any particular depression which would not otherwise be within the definition of watercourse.", and

Further amend on page 277, Section 214, Subsection (2), line 24 by striking: "fifty-year" and inserting in lieu thereof the words: "one hundred (100) year", and

Further amend on page 279, Section 214, Subsection (3), line 11 by striking: "fifty year" and inserting in lieu thereof the words and figures: "one hundred (100) year", and

Further amend on page 279, lines 16 through 23, Section 215, by striking all of the material contained therein in its entirety and inserting in lieu thereof the following:

"89-3505. Artificial obstructions and nonconforming uses as nuisances. An artificial obstruction or nonconforming use in a designated floodway enforced under section 89-3504(3) and not exempt under section 89-3506 is a public nuisance unless a permit has been obtained for such artificial obstruction or nonconforming use from the board.", and

Further amend on page 280, lines 1 through 25, and page 281, lines 1 through 23, Section 216, by striking all of the material contained therein in its entirety and inserting in lieu thereof the following:

"89-3506. Establishment of artificial obstructions or nonconforming uses unlawful—permitted open space uses—prohibited nonconforming uses. (1) It is unlawful for a person to establish an artificial obstruction or nonconforming use within a designated floodway, or for an owner to permit an artificial obstruction to remain within a designated floodway without a permit from the board. This act does not

affect any existing artificial obstruction or nonconforming use established in the floodway before the land-use regulations adopted by the political subdivision are effective or before the board has enforced a designated floodway under section 89-3504(3); however, a person may not make nor may an owner allow alterations of an artificial obstruction within a designated floodway whether the obstruction proposed for alteration was located in the floodway before or after the effective date of this act except upon express written approval of the board. Maintenance of an obstruction is not an alteration.

(2) The following open space uses shall be permitted within the designated floodway, to the extent that they are not prohibited by any other ordinance or statute, and provided they do not require structures other than portable structures, fill, or permanent storage of materials, or equipment: (a) agricultural uses; (b) industrial-commercial uses such as loading areas, parking areas, emergency landing strips; (c) private and public recreational uses such as golf courses, tennis courts, driving ranges, archery ranges, picnic grounds, boat launching ramps, swimming areas, parks, wildlife management and natural areas, game farms, fish hatcheries, shooting preserves, target ranges, trap and skeet ranges, hunting and fishing areas, hiking and horseback riding trails; (d) forestry, including processing of forest products with portable equipment; (e) residential uses such as lawns, gardens, parking areas and play areas; (f) excavations subject to the issuance of a permit under section 89-3507.

(3) The following nonconforming uses shall be prohibited within the designated floodway: (a) a building for living purposes or place of assembly or permanent use by human beings; (b) a structure or excavation that will cause water to be diverted from the established floodway, cause erosion, obstruct the natural flow of water, or reduce the carrying capacity of the floodway; (c) the construction or permanent storage of an object subject to flotation or movement during flood level periods.”, and

Further amend on page 283, lines 17 through 25, and on page 284, lines 1 through 12, Section 218, by striking all of the material contained therein in its entirety and inserting in lieu thereof the following:

“89-3508. Powers and duties of department relative to obstructions.

(1) Where an obstruction to a floodway established under section 89-3504(2) has been created by fallen trees, silt, debris, wreckage, unanchored automobile bodies, and like matter, the department may, in its discretion, remove the obstruction, in which case the cost of removal shall be borne by the department; and

(2) Where, after investigation, notice, and hearing, an order has been issued by the board to the owner of an obstruction not exempt under section 89-3506 for its removal or repair, and the order is not complied with within such reasonable time as may be prescribed, or if the owner cannot be found or determined, the department may make or cause the removal or repairs to be made, the cost of which shall be borne by the owner and shall be recoverable in the same manner as debts are now recoverable by law.”, and

Further amend on page 288, Section 224, Subsection 2, line 23 by striking the word: “and” and inserting in lieu thereof the following: “, mortgagees and lien holders of record and any other”, and

Further amend on page 288, Section 224, Subsection 2, line 24 by inserting after the word: “property” the words: “of record”, and

Further amend on page 292, Section 226, line 17 after: “82A-1506,” by inserting the following: “82A-1507.1,”, and

Further amend on page 292, Section 226, line 17 after: “82A-1511,” by inserting the following: “82A-1512,”, and

Further amend on page 292, Section 226, line 20 after: “89-827,” by inserting the word: “and”, and

Further amend on page 292, Section 226, line 20 by striking the following: “, 89-2920 through 89-2923”, and

As amended, do pass.

SHELDEN, Chairman

Report adopted.

January 28, 1974

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Bill No. 951, respectfully report as follows: That House Bill No. 951 do pass.

STAIGMILLER, Chairman

Report adopted.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 834 was adopted by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Colberg, Cox, Driscoll, Edland, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kolstad, Kosen, Kvaalen, Laas, Lee, Lien, Lockrem, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marks, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Quilici, Regan, Rolfe, Schepens, Schye, Seifert, Selstad, Smith, Staigmill, Stephens, Stoltz, Swanberg, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 86.

Noes: Cotton. Total 1.

Excused: Clemow, East, Ellerd, Lombardi, Marbut, Mercer. Total 6.

Absent or not voting: Fagg, Halvorson, Kimble, Roberts, Shelden, Tierney, Zimmer. Total 7.

MESSAGES FROM THE OTHER HOUSE

January 26, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bills and Resolution were this day read three several times, and passed, title and history agreed to, and the bills and resolution are herewith transmitted to the House for concurrence:

Senate Bill No. 474 introduced by Thiessen and Mathers

Senate Bill No. 503 introduced by Drake, Bennett, and Vainio

Senate Bill No. 563 introduced by Broeder and Sorenson

Senate Bill No. 588 introduced by Thiessen and Zody

Senate Bill No. 589 introduced by Goodheart and Romney

Senate Joint Resolution No. 44 introduced by Bertsche

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following bills were introduced, read first time and referred to committees.

Senate Bill No. 474, introduced by Thiessen, Mathers: A bill for an act entitled: "An act amending Section 75-7001, R.C.M. 1947, defining an eligible transportee on a school bus as at least five (5) years of age." Referred to Committee on Education.

Senate Bill No. 503, introduced by Drake, Bennett, Vainio: A bill for an act entitled: "An act to amend Section 32-21-105.1, R.C.M. 1947, providing a penalty clause." Referred to Committee on Highways and Transportation.

Senate Bill No. 563, introduced by Broeder, Sorenson: A bill for an act entitled: "An act to allocate state construction funds to match federal-aid highway funds available for economic growth centers; and providing for the apportionment of such state construction funds." Referred to Committee on Highways and Transportation.

Senate Bill No. 588, introduced by Thiessen, Zody: A bill for an act entitled: "An act allowing discretionary tuition for high school students and providing criteria; and amending Section 75-6314, R.C.M. 1947, relating to discretionary tuition for elementary students." Referred to Committee on Education.

Senate Bill No. 589, introduced by Goodheart, Romney: A bill for an act entitled: "An act to amend Section 84-901, R.C.M. 1947, regarding assessment of utilities to include microwave companies; and providing an effective date." Referred to Committee on Taxation.

Senate Joint Resolution No. 44, introduced by Bertsche: A Joint Resolution of the Senate and the House of Representatives of the State of Montana supporting the concept of federal legislation for improved reforestation and balanced management practices on forest lands. Referred to Committee on Natural Resources.

House Bill No. 1103, introduced by Lockrem, Tierney, Lucas, Ulmer, Kimble, Murphy, Huennekens: A bill for an act entitled: "An act to appropriate two million three hundred sixty-one thousand dollars (\$2,361,000) from the general fund to the Department of Intergovernmental Relations to be distributed to local government study commissions." Referred to Committee on Finance and Claims.

MOTIONS

Lockrem moved that House Bill No. 632 be taken from the Committee on State Administration and referred to the Rules Committee.

Motion carried.

Haines moved that House Bill No. 987 be passed for the day and placed on Second Reading on January 29, 1974 at the top of the board.

Motion carried.

MESSAGES FROM THE GOVERNOR

January 28, 1974

Honorable Gordon McOmber
President of the Senate
Capitol
Helena, Montana

Honorable Harold Gerke
Speaker of the House of Representatives
Capitol
Helena, Montana

Dear President McOmber and Speaker Gerke:

When I addressed the Legislature in January of 1973, I pledged that a fundamental goal of this Administration would be to ensure the continuation of Montana's increasingly unique way of life. You responded by enacting laws that brought Montanans much closer to gaining control over their own destiny.

Both the people of Montana and I are proud of your record and achievements in this regard.

But few people in January 1973 could have foretold the magnitude of the energy crisis which presently grips this nation. Nor could we have imagined the depth to which the crisis affects almost every aspect of American society — our institutions, our foreign policy, our economy, our environment.

Recognition of the impact of the crisis has led to an announced national policy of attaining energy self-sufficiency during the 1980's. Regardless of the debate currently raging over how best to achieve this goal, whether this goal is indeed achievable, whether or not a major restructuring of our society is necessary, and whether or not environmental standards should be weakened to accommodate this goal, one consequence is patently obvious:

Montana, with 43 billion tons of strippable, low-sulphur coal and an apparent surplus of water in close proximity, is becoming one important alternative to increasing dependence on foreign energy.

The value of our coal and water has not gone unnoticed by powerful private and public interests beyond our borders. Increasingly, the granting of rights to utilize these two resources are taking the decision-making authority for our future out of our hands and placing it in the hands of interests located in the financial centers of our nation, far removed from the concerns and controls of Montanans.

Today I would like to discuss one of these resources in particular — water.

It is the lifeblood of our state. It is the foundation of our billion-dollar-a-year agricultural industry. It is essential to our wildlife, forests, and rangeland. None of these could exist without sufficient water.

Yet that is the prospect we may well be facing in one of our most important rivers — the historic, free-flowing Yellowstone.

With a mean annual flow of about 9 million acre feet of water at our border, options, applications and requests have been made for approximately 3,300,000 acre feet from waters in the Yellowstone Basin. In 1972, the Bureau of Reclamation projected that 2.6 million acre feet would be needed annually for coal development by the year 2002. In less than two years, that figure has already been far exceeded, and all indications are that this amount will grow significantly within the immediate future.

The Department of Natural Resources and Conservation, in accordance with its responsibility under the Montana Water Use Act, has become increasingly concerned with this problem during the past few months. Within the past six weeks, applications and notices of applications for almost ½ million acre feet of Montana's water from the Yellowstone have been received. Last Friday, a request to divert over 90,000 acre feet annually was received.

The effect of accommodating all these intended uses in an area that is generally described as "water short" could be staggering. The National Academy of Science has cautioned that, "...not enough water exists for large-scale conversion of coal to other energy forms..." and that, "...potential environmental and social impacts of the use of this water...would exceed by far the anticipated impact of mining alone."

The manner in which we respond, or fail to respond, to these unprecedented demands for our finite resources, and to the challenges those demands pose to our environment and society, will in large part determine the kind of state Montana will become. The shaping of our future should not be done in a piecemeal fashion. Our destiny should not be forfeited through a series of decisions made on a case by case basis, without regard to their cumulative magnitude, without thought of the full gamut of alternatives, without consideration of the overall impacts or of long-range acceptability of the action taken. Certainly these decisions should not be made until we have defined the objectives for our State, and any objective we may articulate is inextricably interwoven with and dependent on our water resource.

The Montana Water Use Act was a significant step forward in protecting this invaluable resource. Yet, under this Act the Department of Natural Resources must shortly rule on applications for new and large diversions, although it has had time neither to evaluate existing water rights nor to determine the long-term impacts of the new requests. This is unacceptable.

I am convinced that more time is needed to evaluate the water situation in the Yellowstone, and that time for deliberation and planning is critical to the public welfare. I am today presenting a bill which will buy us that time by postponing

actions on applications for permits to appropriate water for three years or until the final determinations of existing rights have been made, whichever occurs first. Only those larger appropriations, for reservoirs storing over 20,000 acre feet or for flows of more than 30 cubic feet per second, would be included. Domestic, municipal and agricultural developments should be unaffected. Applications relating to a utility facility for which a Certificate of Environmental Compatibility and Public Need has been issued under the Utility Siting Act are also excepted. The bill further provides that reservations of water be established as rapidly as possible under the Montana Water Use Act, and that these reservations, once established, would be given preference status over the applications which will be temporarily suspended by the bill.

During that three-year period, if you approve this legislation, state agencies will be directed to speed up the compilation of information necessary for the development of alternatives which are compatible with the long-range goals and best interests of Montana. The determination of existing rights will be accelerated. Plans by which Montana's water can be put to beneficial use in line with the needs of our state will be developed.

Agricultural, municipal, recreational and wildlife reservations of water will be made. Impacts on our economy, values, and way of life from resulting large scale diversions will be studied. The need for additional legislation will be considered.

The three years should give us the time to heed the warning issued by the Senate Interior Committee in its report concerning the Southwest energy issue. The report noted that, "The present Four Corners situation reflects the cumulative effect of numerous resource management decisions, each of which was limited in the scope of its objectives and of its geographic concern." These decisions, "...were made to achieve limited and relatively short-term goals and..." "...were made without full knowledge or adequate consideration of the full range of alternatives, the potential regional impacts, or the long-range desirability of the actions involved."

The problem is critical and urgent. We must act accordingly. This proposal will require a two-thirds vote in each House for a waiver of the rule on the introduction of bills. I know that you are already burdened by the need for consideration of other important measures. I know that you are attempting to carry out your responsibilities to the people of Montana in as short a time as is humanly possible.

But the impact this measure will have on the future of Montana's water mandates that we discard the labels of "environmental", "landowner", "developer", "rancher", and "farmer" which have divided us in the past and that we unite in support of this bill to ensure a Montana worthy of this and future generations.

Sincerely,

THOMAS L. JUDGE
Governor

SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)

Fasbender moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading, under the rules of the previous sitting.

Motion carried.

Ellerd now present.

Lundgren in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

January 28, 1974

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That House Bill No. 576 do pass. (87-4)

That House Bill No. 663 be amended on page 1, Section 1, line 15 of the introduced bill, after the word: "amendments." by adding the following punctuation and words: ",—retail license fee.", and

Be further amended on page 6, Section 1, Subsection (4), line 19 after the word: "beer" by adding the words: "for consumption on the premises" before the word: "at", and

Be further amended on page 7, Section 1, Subsection (4), line 3 after the word and punctuation: "department." by adding the following new material: "nonretention of the beer license, for whatever reason, shall mean automatic loss of the wine amendment license.

(5) The annual license fee for a license to sell wine on the premises, when issued as an amendment to a beer only license shall be two hundred dollars (\$200).", and

Be further amended on page 1, Section 1, Subsection (1), line 18 after the word: "the" by striking the words: "Montana liquor control board" and inserting in lieu thereof the words: "department of revenue" (82-10), and

As amended, do pass. (75-20)

That House Bill No. 719 do pass. (82-0)

That House Bill No. 720 be passed for the day.

That House Bill No. 769 do pass. (92-0)

That House Bill No. 787 do pass. (55-39)

That House Bill No. 815 do pass. (79-1)

That House Bill No. 822 do pass. (71-10)

That House Bill No. 848 do pass. (87-0)

That House Bill No. 857 be amended in Section 1, page 1, line 25 of the second reading bill after the word: "elects" by adding the following language: "to charge his juror time off against his annual leave he" (80-0), and

As amended, do pass. (65-21)

That House Bill No. 883 do pass. (63-20)

That House Bill No. 907 do pass. (79-3)

That House Bill No. 925 do pass. (80-0)

That House Bill No. 960 do pass. (65-23)

That Senate Amendments to House Bill No. 22 be concurred in. (91-0)

That the committee rise and report.

LUNDGREN, Chairman

Report adopted.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 915 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Colberg, Cotton, Driscoll, Edland, Ellerd, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lockrem, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marks, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts,

Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmilller, Stephens, Stoltz, Swanberg, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 91.

Noes: None.

Excused: Clemow, East, Lombardi, Marbut, Mercer. Total 5.

Absent or not voting: Cox, Fagg, Lien, Tierney. Total 4.

Senate Bill No. 510 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Castles, Colberg, Cotton, Driscoll, Edland, Ellerd, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lockrem, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marks, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmilller, Stephens, Stoltz, Swanberg, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 90.

Noes: None.

Excused: Clemow, East, Lombardi, Marbut, Mercer. Total 5.

Absent or not voting: Campbell, Cox, Fagg, Lien, Tierney. Total 5.

REPORTS OF STANDING COMMITTEES

January 28, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills considered correctly engrossed: House Bill No. 576, House Bill No. 769.

QUILICI, Chairman

January 28, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly printed: House Bill No. 951.

QUILICI, Chairman

January 28, 1974

I have examined House Bill No. 631 introduced by me and find the same to be correct.

FASBENDER

January 28, 1974

I have examined House Bill No. 641 introduced by me and find the same to be correct.

FASBENDER

January 28, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly enrolled: House Bill No. 631, House Bill No. 641.

QUILICI, Chairman

January 28, 1974

The following bills will be signed at adjournment on January 28, 1974, in the office of the Speaker of the House of Representatives: House Bill No. 631, House Bill No. 641.

EDWIN A. SMITH, Chief Clerk

House of Representatives

January 26, 1974

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 598, respectfully report as follows: That House Bill No. 598 do pass.

BRAND, Chairman

Report adopted.

January 26, 1974

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 599, respectfully report as follows: That House Bill No. 599 be amended in the title, on page 1, line 6 following the word: "bidding" by inserting the words: "in certain instances", and

Be further amended by omitting everything after the enacting clause and inserting in lieu thereof the following material:

"Section 1. Policy. It is the policy of the state of Montana to encourage state agencies to negotiate contracts with sheltered workshops and work activity centers, principally engaged in rehabilitation programs that are located in Montana.

Section 2. Definition. For the purpose of this act, a 'sheltered workshop' and a 'work activity center' mean a workshop having a sheltered workshop certificate, or an evaluation and training certificate, or a work activities center certificate issued by the wage and hour division of the United States department of labor, or recognized by the department of social rehabilitation services in Montana.

Section 3. Contracts negotiable without competitive bidding under certain circumstances. State agencies may negotiate contracts for the purchase of products not exceeding five thousand dollars (\$5,000) from sheltered workshops and work activity centers located in Montana without complying with the provisions of Title 82, chapter 19, concerning competitive bidding.", and

As amended, do pass.

BRAND, Chairman

Report adopted.

January 28, 1974

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 629, respectfully report as follows: That House Bill No. 629 be amended on page 1, line 10 before the word: "A" by inserting the following material: "When requested in writing by a landowner or lessee", and

Be further amended on page 1, line 11 by omitting the word: "maintain" and inserting in lieu thereof the following material: "sterilize or seed to permanent vegetative cover", and

Be further amended on page 1, line 13 after the word: "on" by inserting the word: "cultivated", and

Be further amended on page 1, line 15 by omitting the word: "impossible" and inserting in lieu thereof the word: "impractical", and

Be further amended on page 1, lines 19 and 20 by omitting the words: "maintenance methods" and inserting in lieu thereof the following material: "sterilants, herbicides or permanent plant cover", and

Be further amended on page 1, line 21 by omitting the word: "landowner" and inserting in lieu thereof the words: "department of agriculture", and

Be further amended on page 1, line 21 after the word: "landowner" by inserting the following words: "or lessee", and

Be further amended on page 1 after line 22 by adding a new Section 4 as follows:

"Section 4. It is the intent of this act to assist the farm operator in carrying out weed control and conservation practices.", and

As amended, do pass.

MEHRENS, Chairman

Report adopted.

January 28, 1974

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration House Bill No. 721, respectfully report as follows: That House Bill No. 721 be amended as follows:

Amend the key line of the introduced bill, page 1, lines 4 through 10 by deleting the following section numbers: "3-709, 10-703, 32-3925, 41-803, 69-6301, 69-6303, 71-406, 71-506, 71-607, 71-1207, 71-1403, 71-1520, 84-3406, 84-6701" and inserting in lieu thereof the numbers "84-1507, 84-4931", and

Amend the title of the introduced bill, page 1, line 16 by inserting the following words and numbers following the word and punctuation "privacy;": "amending sections 3-1715, 3-1721, 5-705, 5-1012, 7-147, 32-1213, 32-1215, 31-203, 40-3660, 40-5511, 48-139, 50-1221, 60-144, 61-213, 69-4115, 84-1507, 84-4931, 87-124, 94-9824 and 95-2205, R.C.M. 1947;," and

Further amend the title of the introduced bill, page 1, lines 16 through 22, by deleting the following section numbers following the word "sections" on line 16: "3-709, 3-1715, 3-1721, 5-705, 5-1012, 7-147, 10-703, 32-1213, 32-1215, 32-3925, 36-203, 40-3660, 40-5511, 41-803, 48-139, 50-1221, 60-144, 61-213, 69-4115, 69-6301, 69-6303, 71-406, 71-506, 71-607, 71-1207, 71-1403, 71-1520, 84-3406, 84-6701, 87-124, 94-9824 and 95-2205", and

Be it further amended on page 2, line 4 after the punctuation ";" by adding: "but does not include any writing given to the Department of Revenue by the Internal Revenue Service or a proper taxing authority of another state, which relates to income taxes, when such information is protected by confidentiality statute of the United States or by the laws of another state;," and

Be it further amended on page 2, Section 3, Subsection 1, line 16 after "individual," by striking "information of a nature that the individual has given the information to the custodian with the expectation that it will be kept confidential and" and inserting in lieu thereof "which", and

Be it further amended on page 2, Section 3, Subsection (2), line 19 by striking "(2) the information contained in the document", and

Let it further be amended on page 2, line 20 by striking "an" and inserting in lieu thereof "that", and

Be it further amended page 2, following line 22 by adding the following new subsection:

"(2) In any case in which a document is to be kept confidential, the custodian of the document shall make a determination whether those parts of the document in which the merits of individual privacy clearly outweigh the merits of public disclosure can be withheld or in some manner obscured. If that could be accomplished without prejudice to the rights of privacy being protected, the remaining portion of the document shall be made public; provided further that in the case of a legislative audit or investigation, where documents are needed to enable a determination of patterns of administrative abuse, and where the merits of individual privacy clearly exceed the merits of public disclosure, the custodian shall stipulate procedures, if any are available, whereby patterns can be reviewed without prejudice to the rights of individual privacy being protected. In no case shall this section be construed to permit the obscuring of any information on the original agency copy of the document.", and

Amend the introduced bill, page 3, by adding the following new sections and renumbering the remaining section:

"Section 6. Section 3-1715, R.C.M. 1947, is amended to read as follows:

'3-1715. Registration and licenses. (a) Each brand and grade of commercial fertilizer and each "soil amendment" shall be registered before being offered for sale, sold or distributed in this state. The application for registration shall be submitted to the commissioner on a form furnished by the commissioner and shall be accompanied by a fee of thirty-five dollars (\$35) per brand and ten dollars (\$10) per grade for each fertilizer and for each soil amendment guaranteeing plant nutrients and claiming value as a fertilizer. The registration fee shall be five dollars (\$5) for each soil amendment making no guarantees for plant nutrients or claims for fertilizer value. All fees collected shall be deposited in the state treasury to the credit of the earmarked revenue fund and shall be used for the expenses of administering this act. Upon approval by the commissioner, a copy of the registration shall be furnished to the applicant. All registrations expire on December 31 of each year. The application shall include the following information:

- (1) The brand and grade.
 - (2) The guaranteed analysis.
 - (3) The sources from which the nitrogen, phosphorus and potassium are derived.
 - (4) The commissioner may require a manufacturer of commercial fertilizer or soil amendment to furnish additional information if the foregoing does not adequately describe the fertility value claimed and/or the composition of the product.
 - (5) The name and address of the registrant.
- (b) A distributor shall not be required to register any brand or grade of commercial fertilizer which is already registered under this act by another person.
- (c) The plant nutrient content of each and every brand and grade of commercial fertilizer must remain uniform for the period of registration.
- (d) Any distributor who blends or mixes fertilizer materials to a customer's order without a guaranteed analysis of the mixture in accordance with part (a) of this section, must first make application to obtain a license from the commissioner. The application for such a license shall be submitted in duplicate to the commissioner on forms furnished by the commissioner and shall be accompanied by a fee as herein prescribed which sum shall constitute the license fee in event the license is granted. If said distributor blends or mixes fertilizer materials at more than one fixed location, or by more than one mobile mechanical unit, then a license is required for each location and for each such mobile mechanical unit. The licenses shall be twenty-five dollars (\$25) in the case of each location but in the case of mobile units each such unit owned and operated by any one distributor shall be licensed at a rate of twenty-five dollars (\$25) for the first unit, and ten dollars (\$10) for each such additional mobile unit. The license shall expire on December 31 of each year.

Fees so collected shall be deposited in the state treasury to the credit of the earmarked revenue fund and shall be used for the expenses of administering this act. Each licensee shall furnish the commissioner with a [confidential] written statement of the tonnage of each grade of fertilizer material used by him in this state in his blending and mixing operation. Said statement shall cover the semiannual periods ending June 30 and December 31 of each year, and shall be filed with the commissioner not later than thirty days (which may be extended on valid reason therefor an additional thirty days, on written requests to the commissioner) after the close of each semiannual period. In lieu of the guaranteed analysis, the licensee must furnish to each and every purchaser and consumer in written or printed form, an invoice or delivery ticket showing the net weight and guaranteed analysis of each and every one of the materials used, which shall accompany delivery.

The distributor shall at all times produce an intimate and uniform mixture of fertilizer materials or soil amendments. When two or more fertilizers are delivered in the same load, they shall be intimately and uniformly mixed unless they are in separate compartments.

The commissioner is authorized and empowered to cancel the license as herein provided upon satisfactory evidence that the licensee has used fraudulent and

deceptive practices in the evasions or attempted evasions of the provisions of this section; provided that no license shall be revoked or refused until the licensee shall have been given a hearing by the commissioner pursuant to section 3-1723 [of this act].', and

Section 7. Section 3-1721, R.C.M. 1947, is amended to read as follows:

'3-1721. Grade-tonnage reports. Each person registering commercial fertilizers under this act shall furnish the commissioner with a [confidential] written statement of the tonnage of each grade of commercial fertilizer sold by him in this state. Said statement shall include all sales for the periods of January 1 to and including June 30 and of July 1 to and including December 31 of each year. The commissioner may, in his discretion, cancel the registration of any person failing to comply with this section if the above statement is not made within thirty (30) days from day of the close of each period. The commissioner, however, in his discretion, may grant a reasonable extension of time. [No information furnished under this section shall be disclosed in such a way as to divulge the operation of any person.] This report may at the discretion of the registrant be combined with the report required by section 3-1717 (b).', and

Section 8. Section 5-705, R.C.M. 1947, is amended to read as follows:

'5-705. [reports confidential false] False reports — penalties. [The report and any information contained in the reports and statements hereinabove provided for, other than such reports as are required to be published, shall be deemed to be secret and for the confidential information of the superintendent of banks only, and such information shall not be imparted to any persons who are not officially associated in and with the office of the superintendent of banks, and the information therein contained shall be used by the superintendent of banks only in the furtherance of his official duties, except that it shall be lawful for the department to exchange information with the federal banking department and with departments of other states and to furnish information to prosecuting officials who request the same for use in pursuit of official duties.] Any superintendent of banks or deputy, assistant, examiner, or clerk in his employ, who [violates any of the provisions of this section, or] willfully makes a false official report as to the condition of any bank, shall be removed from office, and shall also be deemed guilty of a felony, and upon conviction thereof shall be punished by a fine of not exceeding one thousand dollars (\$1,000.00), or by imprisonment in the state penitentiary for not exceeding five (5) years, or by both such fine and imprisonment.', and

Section 9. Section 5-1012, R.C.M. 1947, is amended to read as follows:

'5-1012. Information obtained by state examiner to be deemed confidential — penalty for the violation thereof. Any knowledge or information gained or discovered by the state superintendent of banks, in pursuance of his powers or duties as herein prescribed, shall be deemed confidential information of the state examiner's office only, and such information shall not, except as herein provided, be imparted to any person or persons who are not officially associated in and with the office of the state examiner, and such information shall be used by the state examiner only in the furtherance of his official duties, except that it shall be lawful for the department to exchange information with the federal banking department and departments of other states and to furnish information to prosecuting officials who require the same for use in pursuit of official duties. Any state examiner or deputy, assistant, or clerk in his employ, who violates any of the provisions of this section, or willfully makes a false official report as to the condition of any bank, shall be removed from office, and shall also be deemed guilty of a felony, and upon conviction thereof shall be punished by a fine of not exceeding one thousand (\$1,000.00), or by imprisonment in the state penitentiary for not exceeding five (5) years, or by both such fine and imprisonment. The confidentiality provisions of this section do not apply to written knowledge or information in the custody of the examiner.', and

Section 10. Section 7-147, R.C.M. 1947, is amended to read as follows:

'7-147. Reports and examinations by superintendent of banks confidential. Whoever, being the superintendent of banks, assistant or clerk in his employ or an examiner, fails to keep secret the facts and information obtained in the course of an examination, or by reason of his official position, except when the public

duty of such officer requires him to report upon or take official action regarding the affairs of the association so examined, or willfully makes a false official report as to the conditions of such association, shall be removed from office and shall be fined not more than five hundred dollars (\$500.00), or imprisoned in the penitentiary not less than two (2) years nor more than five (5) years, or both. Nothing in this section shall prevent the proper exchange of information relating to building and loan associations and the business thereof, with the representatives of building and loan departments of other states, but in no case shall the private business or affairs of any individual, association or company be disclosed; provided, that the superintendent of banks on request of any federal home loan bank, shall furnish such bank any information he may have relative to the finances, manner of business, methods of bookkeeping and any and all other information relating to any association which is a member of, seeking to become a member of, a borrower from or seeking to become a borrower from any federal home loan bank.

Also any association and/or the officers or agents thereof and the superintendent of banks and/or his assistants and examiners shall be authorized to do any and all things necessary to enable any building and loan association within this state to become a member of the federal home loan bank of this or any adjoining district so far as may be compatible with the constitution of this state and the laws of the United States. The confidentiality provisions of this section do not apply to written facts or information in the custody of the superintendent and/or his assistants and examiners.', and

Section 11. Section 32-1213, R.C.M. 1947, is amended to read as follows:

'32-1213. Accident reports' confidential. (a) All required accident reports and supplemental reports shall be without prejudice to the individual so reporting and shall be for the [confidential] use of the board or other state agencies having use for the records for accidental prevention purposes, or for the administration of the laws of this state relating to the deposit of security and proof of financial responsibility by persons driving or the owners of motor vehicles[.].[except that the board may disclose the identity of a person involved in an accident when such identity is not otherwise known or when such person denies his presence at such accident.]

[b] All accident reports and supplemental information filed as required by this act shall be confidential and not open to general public inspection, nor shall copying of lists of such reports be permitted, except, however, that the report and supplemental information filed by law enforcement personnel, as required by this act may be examined by any person named in such report or reports or by any driver, passenger or pedestrian involved in the accident or by his representative designated in writing, or if such person shall be deceased, by his executor or administrator or by the attorney representing such executor or administrator.]

[c] (b) No such report shall be used as evidence in any trial, civil or criminal, arising out of an accident, except that the board shall furnish upon demand of any person who has, or claims to have, made such a report or upon the demand of any court, a certificate showing that a specified accident report has or has not been made to the board solely to prove a compliance or a failure to comply with the requirement that such a report be made to the board.', and

Section 12. Section 32-1215, R.C.M. 1947, is amended to read as follows:

'32-1215. Any incorporated city may require accident reports. Any incorporated city, town, village, or other municipality may by ordinance require that the driver of a vehicle involved in an accident shall also file with a designated city department a report of such accident or a copy of any report herein required to be filed with the supervisor. All such reports shall be [for the confidential use of the city department and] subject to the provisions of section 32-1213.', and

Section 13. Section 36-203, R.C.M. 1947, is amended to read as follows:

'36-203. Conciliation court — judges — budget — conciliation counselors — probation officers — proceedings confidential. (1) Exercise of Jurisdiction. Each district court shall exercise the jurisdiction conferred by this chapter, and while sitting in the exercise of such jurisdiction shall be known and referred to as the "conciliation court."

(2) Selection of Judges. In counties having more than one judge of the district court, the judges of such court shall annually, in the month of January or July, designate at least one judge to hear all cases under this chapter. The judge or judges so designated shall hold as many sessions of the conciliation court in each week as are necessary for the prompt disposition of the business before the court.

(3) Transfer of Cases. Another district judge may be called in by the judge of the conciliation court to act as judge of the conciliation court during any period when the judge of the conciliation court is on vacation, absent, or for any reason unable to perform his duties. Any judge so appointed shall have all of the powers and authority of a judge of the conciliation court in cases under this chapter.

(4) Budget. The provisions of the county budget system, section[s] 16-1901 to 1911, inclusive, [R.C.M. 1947,] shall, except as provided by [section 4, subsection 9 [] 36-204 (9)[] of this act], be applicable to expenditures for the court of conciliation; provided, however, that the court may submit to the board of county commissioners the information required by section 16-1901 on or before July 1st of each year.

(5) Manner of Conciliation. The judge of the conciliation court may hear all matters invoked under this act or he may refer such matters to a pastor or director of any religious denomination to which the parties may belong, psychiatrist, physician, attorney, social worker, or other person who is competent and qualified by training and experience in personal counseling. Such person shall be referred to herein as the conciliation counselor.

The conciliation counselor shall:

(a) Hold conciliation conferences with parties to, and hearings in, proceedings under this chapter, and make recommendations concerning such proceedings to the judge of the conciliation court.

(b) Cause such reports to be made, such statistics to be compiled, and such records to be kept as the judge of the conciliation court may direct.

(6) Probation Officers Duties. The probation officer in every county shall give such assistance to the conciliation court as the court may request to carry out the purposes of this chapter, and to that end the probation officer shall, upon request and with the consent of both parties, make investigations and reports as requested, and in cases pursuant to this chapter, shall exercise all the powers and perform all the duties granted or imposed by the laws of this state relating to probation or to probation officers.

(7) Privacy of Hearings. [All district] District court hearings or conferences in proceedings under this chapter [shall] may be held in private if the court determines that the demands of individual privacy clearly exceed the merits of public disclosure and the court [shall] may exclude all persons except the officers of the court, the parties, their counsel and witnesses. Conferences may be held with each party and his counsel separately and in the discretion of the judge or counselor conducting the conference or hearing, all counsel may be excluded. All communications, verbal or written, from parties to the judge or counselor in a proceeding under this chapter shall be deemed made to such officer in official confidence.

The files of the conciliation court [shall] may be closed if the court determines that the demands of individual privacy clearly exceed the merits of public disclosure. The petition, supporting affidavit, reconciliation agreement and any court order made in the matter may be opened to inspection by any party or his counsel upon the written authority of the judge of the conciliation court.

(8) Jurisdiction. The jurisdiction of the conciliation courts and the powers thereof shall be as provided in the Constitution of Montana, [Chapter 3 [] Title 93[]], [Revised Codes of Montana, 1947,] and acts amendatory and relating thereto, including the right of disqualification of any judge of the conciliation court.'

Section 14. Section 40-3660, R.C.M. 1947, is amended to read as follows:

'40-3660. Noncompliance of rates. If, after examination of an insurer, rating organization, advisory organization, or group, association or other organization of insurers which engages in joint underwriting or joint reinsurance, or upon the basis

of other information, or upon sufficient complaint as provided in [section 26 [40-3659 [],] the commissioner has good cause to believe that such insurer, organization, group or association, or any rate, rating plan or rating system made or used by any such insurer or rating organization, does not comply with the requirements and standards of this chapter applicable to it, he shall, unless he has good cause to believe such noncompliance is willful, give notice, in writing, to such insurer, organization, group or association stating therein in what manner and to what extent such noncompliance is alleged to exist and specifying therein a reasonable time, not less than ten (10) days thereafter, in which such noncompliance may be corrected. [Notices under this section shall be confidential as between the commissioner and the parties unless a hearing is held under section 28 (40-3661).]

Section 15. Section 40-5511, R.C.M. 1947, is amended to read as follows:

'40-5511. Acquisition of control of or merger with domestic insurer. (a) Filing requirements. No person other than the issuer shall make a tender offer for or a request or invitation for tenders of, or enter into any agreement to exchange securities for, seek to acquire, or acquire, in the open market or otherwise, any voting security of a domestic insurer if, after the consummation thereof, such person would, directly or indirectly (or by conversion or by exercise of any right to acquire) be in control of such insurer, and no person shall enter into an agreement to merge with or otherwise to acquire control of a domestic insurer unless, at the time any such offer, request, or invitation is made or any such agreement is entered into, or prior to the acquisition of such securities if no offer or agreement is involved, such person has filed with the commissioner and has sent to such insurer, and such insurer has sent to its shareholders, a statement containing the information required by this section and such offer, request, invitation, agreement or acquisition has been approved by the commissioner in the manner hereinafter prescribed. For purposes of this section, a domestic insurer shall include any other person controlling a domestic insurer unless such other person is either directly or through its affiliates primarily engaged in business other than the business of insurance.

(b) Content of statement. The statement to be filed with the commissioner hereunder shall be made under oath or affirmation and shall contain the following information:

(1) The name and address of each person by whom or on whose behalf the merger or other acquisition of control referred to in subsection (a) is to be effected (hereinafter called "acquiring party").

(i) If such person is an individual, his principal occupation and all offices and positions held during the past five (5) years, and any conviction of crimes other than minor traffic violations during the past ten years.

(ii) If such person is not an individual, a report of the nature of its business operations during the past five (5) years or for such lesser period as such person and any predecessors thereof shall have been in existence; an informative description of the business intended to be done by such person and such person's subsidiaries; and a list of all individuals who are or who have been selected to become directors or executive officers of such person, or who perform or will perform functions appropriate to such positions. Such list shall include for each such individual the information required by paragraph (i) of this subsection.

(2) The source, nature and amount of the consideration used or to be used in effecting the merger or other acquisition of control, a description of any transaction wherein funds were or are to be obtained for any such purpose, and the identity of persons furnishing such consideration [, provided, however, that where a source of such consideration is a loan made in the lender's ordinary course of business, the identity of the lender shall remain confidential, if the person filing such statement so requests].

(3) Fully audited financial information as to the earnings and financial condition of each acquiring party for the preceding five (5) fiscal years of each such acquiring party (or for such lesser period as such acquiring party and any predecessors thereof shall have been in existence), and similar unaudited information as of a date not earlier than ninety (90) days prior to the filing of the statement.

(4) Any plans or proposals which each acquiring party may have to liquidate such insurer, to sell its assets or merge or consolidate it with any person, or to make any other material change in its business or corporate structure or management.

(5) The number of shares of any security referred to in subsection (a) which each acquiring party proposes to acquire, and the terms of the offer, request, invitation, agreement, or acquisition referred to in subsection (a), and a statement as to the method by which the fairness of the proposal was arrived at.

(6) The amount of each class of any security referred to in subsection (a) which is beneficially owned or concerning which there is a right to acquire beneficial ownership by each acquiring party.

(7) A full description of any contracts, arrangements, or understandings with respect to any security referred to in subsection (a) in which any acquiring party is involved, including but not limited to transfer of any of the securities, joint ventures, loan or option arrangements, puts or calls, guarantees of loans, guarantees against loss or guarantees of profits, division of losses or profits, or the giving or withholding of proxies. Such description shall identify the persons with whom such contracts, arrangements or understandings have been entered into.

(8) A description of the purchase of any security referred to in subsection (a) during the twelve (12) calendar months preceding the filing of the statement, by an acquiring party, including the dates of purchase, names of the purchasers, and consideration paid or agreed to be paid therefor.

(9) A description of any recommendations to purchase any security referred to in subsection (a) made during the twelve (12) calendar months preceding the filing of the statement, by any acquiring party, or by anyone based upon interviews or at the suggestion of such acquiring party.

(10) Copies of all tender offers for, requests or invitations for tenders of, exchange offers for, and agreements to acquire or exchange any securities referred to in subsection (a), and (if distributed) of additional soliciting material relating thereto.

(11) The terms of any agreement, contract or understanding made with any broker-dealer as to solicitation of securities referred to in subsection (a) for tender, and the amount of any fees, commissions or other compensation to be paid to broker-dealers with regard thereto.

(12) Such additional information as the commissioner may by rule or regulation prescribe as necessary or appropriate for the protection of policyholders and securityholders of the insurer or in the public interest.

If the person required to file the statement referred to in subsection (a) is a partnership, limited partnership, syndicate or other group, the commissioner may require that the information called for by clauses (1) through (12) shall be given with respect to each partner of such partnership or limited partnership, each member of such syndicate or group, and each person who controls such partner or member. If any such partner, member or person is a corporation or the person required to file the statement referred to in subsection (a) is a corporation, the commissioner may require that the information called for by clauses (1) through (12) shall be given with respect to such corporation, each officer and director of such corporation, and each person who is directly or indirectly the beneficial owner of more than ten percent (10%) of the outstanding voting securities of such corporation.

If any material change occurs in the facts set forth in the statement filed with the commissioner and sent to such insurer pursuant to this section, an amendment setting forth such change, together with copies of all documents and other material relevant to such change, shall be filed with the commissioner and sent to such insurer within two (2) business days after the person learns of such change. Such insurer shall send such amendment to its shareholders.

(c) Alternative filing materials. If any offer, request, invitation, agreement or acquisition referred to in subsection (a) is proposed to be made by means of a registration statement under the Securities Act of 1933 or in circumstances requiring

the disclosure of similar information under the Securities Exchange Act of 1934, or under a state law requiring similar registration or disclosure, the person required to file the statement referred to in subsection (a) may utilize such documents in furnishing the information called for by that statement.

(d) Approval by commissioner — hearings. (1) The commissioner shall approve any merger or other acquisition of control referred to in subsection (a) unless, after a public hearing thereon, he finds that:

(i) After the change of control the domestic insurer referred to in subsection (a) would not be able to satisfy the requirements for the issuance of a license to write the line or lines of insurance for which it is presently licensed.

(ii) The effect of the merger or other acquisition of control would be substantially to lessen competition in insurance in this state or tend to create a monopoly therein.

(iii) The financial condition of any acquiring party is such as might jeopardize the financial stability of the insurer, or prejudice the interest of its policyholders or the interests of any remaining securityholders who are unaffiliated with such acquiring party.

(iv) The terms of the offer, request, invitation, agreement or acquisition referred to in subsection (a) are unfair and unreasonable to the securityholders of the insurer.

(v) The plans or proposals which the acquiring party has to liquidate the insurer, sell its assets or consolidate or merge it with any person, or to make any other material change in its business or corporate structure or management, are unfair and unreasonable to policyholders of the insurer and not in the public interest.

(vi) The competence, experience and integrity of those persons who would control the operation of the insurer are such that it would not be in the interest of policyholders of the insurer and of the public to permit the merger or other acquisition of control.

(2) The public hearing referred to in clause (1) shall be held within thirty (30) days after the statement required by subsection (a) is filed, and at least twenty (20) days notice thereof shall be given by the commissioner to the person filing the statement. Not less than (7) days notice of such public hearing shall be given by the person filing the statement to the insurer and to such other persons as may be designated by the commissioner. The insurer shall give such notice to its securityholders. The commissioner shall make a determination within thirty (30) days after the conclusion of such hearing. At such hearing, the person filing the statement, the insurer, any person to whom notice of hearing was sent, and any other person whose interests may be affected thereby shall have the right to present evidence, examine and cross-examine witnesses, and offer oral and written arguments and in connection therewith shall be entitled to conduct discovery proceedings in the same manner as is presently allowed in the district court of this state. All discovery proceedings shall be concluded not later than three (3) days prior to the commencement of the public hearing.

(e) Mailing to shareholders — payment of expenses. All statements, amendments, or other material filed pursuant to subsection (a) or (b), and all notices of public hearings held pursuant to subsection (d), shall be mailed by the insurer to its shareholders within five (5) business days after the insurer has received such statements, amendments, other material, or notices. The expenses of mailing shall be borne by the person making the filing. As security for the payment of such expenses, such person shall file with the commissioner an acceptable bond or other deposit in an amount to be determined by the commissioner.

(f) Exemptions. The provisions of this section shall not apply to:

(i) Any offers, requests, invitations, agreements or acquisitions by the person referred to in subsection (a) of any voting security referred to in subsection (a) which, immediately prior to the consummation of such offer, request, invitation, agreement or acquisition, was not issued and outstanding.

(ii) Any offer, request, invitation, agreement or acquisition which the commis-

sioner by order shall exempt therefrom as (1) not having been made or entered into for the purpose and not having the effect of changing or influencing the control of a domestic insurer, or (2) as otherwise not comprehended within the purposes of this section.

(g) Violations. The following shall be violations of this section:

(i) The failure to file any statement, amendment, or other material required to be filed pursuant to subsection (a) or (b).

(ii) The effectuation or any attempt to effectuate an acquisition of control of, or merger with, a domestic insurer unless the commissioner has given his approval thereto.

(h) Jurisdiction — consent to service of process. The courts of this state are hereby vested with jurisdiction over every person not resident, domiciled, or authorized to do business in this state who files a statement with the commissioner under this section, and over all actions involving such person arising out of violations of this section, and each such person shall be deemed to have performed acts equivalent to and constituting an appointment by such a person of the commissioner to be his true and lawful attorney upon whom may be served all lawful process in any action, suit or proceeding arising out of violations of this section. Copies of all such lawful process shall be served on the commissioner and transmitted by registered or certified mail by the commissioner to such person at his last known address.'

Section 16. Section 48-139, R.C.M. 1947, is amended to read as follows:

'48-139. Penalties. Any applicant for a marriage license, physician, or other person authorized by the laws of Montana to make such a certificate, any person in charge of, or authorized to make such reports or statements for a laboratory who shall misrepresent his identity or any of the facts called for by the certificate form prescribed by this act; or any licensing officer who shall issue a marriage license without having received the certificate form or who shall have reason to believe that any of the facts on the certificate form have been misrepresented, and shall nevertheless issue a marriage license; or any person who shall otherwise fail to comply with the provisions of this act shall be guilty of a misdemeanor, and, upon conviction, shall be punished by a fine of not more than one hundred dollars (\$100.00).

[Certificates, laboratory statements or reports, and applications, in this act referred to and the information therein contained, shall be confidential and shall not be divulged to or open to inspection by any person other than state or local health officers or their duly authorized representatives. Any person who shall divulge such information or open to inspection such certificates, statements or reports, without authority, to any person not by law entitled to the same, shall be guilty of a misdemeanor, and, upon conviction, shall be punished by a fine of not more than one hundred dollars (\$100.00).']

Section 17. Section 50-1221, R.C.M. 1947, is amended to read as follows:

'50-1221. Information [obtained from applications confidential] admissible in hearings or proceedings. [Any and all information obtained by the board or by the director or his staff by virtue of applications for licenses or permits is confidential between the board and the applicant.] Any information obtained by the board or by the director or his staff by virtue of applications for licenses or permits is, however, properly admissible in any hearing conducted by the director, the board, appeals board or in any judicial proceeding to which the director and the applicant are parties. [Failure to comply with the secrecy provisions of this act shall be punishable by a fine of up to ten thousand dollars (\$10,000) or one (1) year in jail.]'

Section 18. Section 60-144, R.C.M. 1947, is amended to read as follows:

'60-144. Owners shall make available to commission cores and cuttings. Any owner drilling a well for gas or oil shall make available to the commission at its field offices representative cores or chips, when available, and the cuttings from such well. Providing, however, that cores, chips or cuttings need not be so made available for a period of six (6) months following completion or abandonment of such wells. As pertains to the furnishing of cores, cuttings, or chips, the commission

may, however, relieve the owner of any well of the obligation to furnish the same when in the opinion of the commission, the furnishing thereof would be unduly burdensome for such owner; provided, however, that such owner desiring relief must apply to and receive permission from the commission to not so furnish. The owner of any stratigraphic test well drilled for the purpose of obtaining lithologic information useful in potential oil and gas operations, as such well is defined by the commission's rules and regulations, shall within six (6) months from the date of cessation of the drilling of such well, make available to the commission, complete sets of sample cuttings and representative cores or chips and well logs of such wells, which logs shall include among other information the size of casing used and the type and depth of water if any located, and such cuttings, cores, chips and logs shall be impounded and kept secure [and confidential] by the commission until such time that the commission shall desire to use the same; provided that the commission may not use such logs, chips, cores and cuttings from stratigraphic test wells until a period of three (3) years from the date of their impounding by the commission has elapsed unless the owner of such stratigraphic test well consents to their use by the commission prior to the expiration of the three (3) year period. [The commission, during the period of impoundment for any cores, cuttings, chips, or logs from any stratigraphic test well, shall not give any person access to said cores, chips, cuttings or logs, and it shall not disclose any information relating thereto or derived therefrom.] The commission shall require, and the owner of any stratigraphic test well shall furnish, prior to the commencement of drilling of such well, a good and sufficient surety bond, to be approved prior to the commencement of such drilling, conditioned upon the proper plugging of such well prior to abandonment, the amount of the said bond to be determined by the estimated depth as in the commission's rules and regulations provided for oil and gas wells, and, prior to abandonment, such wells shall be plugged by the owner thereof, or by the surety should the said owner be in default, such plugging to conform to the standards set down and determined by the commission.'

Section 19. Section 61-213, R.C.M. 1947, is amended to read as follows:

'61-213. Confidential nature of record and proceedings. (1) Unless the court shall otherwise order, all hearings held in proceedings under this act [shall be confidential and shall] may be held in closed court without admittance of any person other than interested parties and their counsel if the court determines that the demands of individual privacy clearly exceed the merits of public disclosure.

(2) All papers and records pertaining to the adoption shall be kept as a permanent record of the court and may be withheld from inspection if the court determines that the demands of individual privacy clearly exceed the merits of public disclosure. [No person shall have access to such records except on order of the judge of the court in which the decree of adoption was entered for good cause shown.]

(3) All files and records pertaining to said adoption proceedings in the county and state departments of public welfare or any authorized agencies [shall] may be [confidential and] withheld from inspection [except upon order of] if the court [for good cause shown] determines that the demands of individual privacy clearly exceed the merits of public disclosure.'

Section 20. Section 69-4115, R.C.M. 1947, is amended to read as follows:

'69-4115. Information on infant morbidity and mortality — limited use — identity of persons studied confidential. (1) If information on infant morbidity and mortality will be used to reduce those problems, data relating to the condition and treatment of any person may be given to the department, Montana medical association, an allied society of the Montana medical association, a committee of a nationally organized medical society or research group, or to an in-hospital staff committee.

(2) A person furnishing information under subsection (1) of this section is immune from suit for damages arising from the release of the data or publication of findings and conclusions based on the data.

(3) Data supplied under subsection (1) of this section may be used or published only for advancing medical research or medical education in the interest of reducing infant morbidity or mortality. However, a summary of studies based on the data may be released for general publication.

[(4) The identity of persons whose condition or treatment was studied is confidential and may not be revealed under any circumstances.]

[(5) Any data supplied or studies based on these data are privileged communications and may not be used as evidence in any legal proceeding. Any attempt to use, or offer to supply the data or studies, without consent of the person treated or his legal representative, is prejudicial error resulting in a mistrial.]

Section 21. Section 84-1507, R.C.M. 1947, is amended to read as follows:

'84-1507. Returns and corrections to be public records. When the assessment shall be made as provided in this act, the returns, together with any corrections thereof which may have been made by the state department of revenue, shall be filed in the office of said department, and shall constitute public records and be open to inspection [as such only upon the order of the governor, and] under rules and regulations to be prescribed by the state department of revenue.'

Section 22. Section 84-4931, R.C.M. 1947, is amended to read as follows:

'84-4931. Divulging information unlawful — exceptions — penalty. (1) Except in accordance with proper judicial order or as otherwise provided by law, it is unlawful for the department or any deputy, assistant, agent, clerk or other officer or employee to divulge or make known in any manner the amount of income or any particulars set forth or disclosed in any report or return required under this act, or any other information secured in the administration of this act. The officers charged with the custody of such reports and returns shall not be required to produce any of them or evidence of anything contained in them in any action or proceeding in any court, except in any action or proceeding under the provisions of this act, or any other taxing act, to which the department is a party, or on behalf of any party to any action or proceedings under the provisions of this act or such other act when the reports or facts shown thereby are directly involved in such action or proceedings, in either of which events, the court may require the production of, and may admit in evidence, so much of said reports or of the facts shown thereby, as are pertinent to the action or proceedings and no more. Nothing herein shall be construed to prohibit the delivery to a taxpayer or his duly authorized representative of a certified copy of any return or report filed in connection with his tax nor to prohibit the publication of statistics so classified as to prevent the identification of particular reports or returns and the items thereof, or the inspection by the attorney general, or other legal representatives of the state, of the report or return of any taxpayer who shall bring action to set aside or review the tax based thereon, or against whom an action or proceeding has been instituted in accordance with the provisions of section 84-4928 and section 84-4929. Reports and returns shall be preserved for three years and thereafter until the department orders them to be destroyed.

(2) Any offense against subdivision one (1) of this section shall be punished by a fine not exceeding one thousand dollars (\$1,000.00), or by imprisonment in the county jail not exceeding one (1) year, or both, at the discretion of the court, and if the offender be an officer or employee of the state, he shall be dismissed from office and be incapable of holding any public office in this state for a period of one (1) year, thereafter.

(3) Notwithstanding the provisions of this section, the department may permit the commissioner of internal revenue of the United States, or the proper officer of any state imposing a tax upon the incomes of individuals, or the authorized representatives of either such officer, to inspect the returns of income of any individuals, or may furnish to such officer or his authorized representatives an abstract of the return of income of any individual or supply him with information concerning any item of income contained in any return, or disclosed by the report of any investigation of the income or return of income of any individual, but such permission shall be granted or such information furnished to such officer or his representative, only if the statutes of the United States or of such other state, as the case may be, grant substantially similar privileges to the proper officer of this state charged with the administration of this act.

(4) Further, notwithstanding any of the provisions of this section, the department shall furnish to the Montana highway patrol board all information necessary to identify those persons qualifying for the additional exemption for blindness pur-

suant to section 84-4910 (d), for the purpose of enabling said highway patrol board to administer the provisions of section 31-127, R.C.M. 1947. For the purposes of the confidentiality provisions of this section, the legislature determines and declares that in the case of income tax information as it relates to individuals, the demands of individual privacy clearly exceed the merits of public disclosure.'

Section 23. Section 87-124, R.C.M. 1947, is amended to read as follows:

'87-124. Records and reports. Each employing unit shall keep true and accurate work records, containing such information as the commission may prescribe. Such records shall be open to inspection and shall be subject to being copied by the commission or its authorized representative at any reasonable time and as often as may be necessary. The commission and the chairman of any appeal tribunal may require from any employing unit any sworn or unsworn reports with respect to persons employed by it which the commission deems necessary to the effective administration of this act. [Information thus obtained or obtained from any individual pursuant to the administration of this act shall except to the extent necessary for the proper presentation of a claim be held confidential and shall not be published or be open to public inspection (other than to public employees in the performance of their public duties) in any manner revealing the individual's or employing unit's identity, but any claimant or his legal representative at a hearing before the commission or appeal tribunal shall be supplied with information from such records to the extent necessary for the proper presentation of his claim.] Any employee or member of the commission who violates any provision of this section shall be fined not less than twenty dollars nor more than two hundred dollars, or imprisoned for not longer than 90 days, or both.'

Section 24. Section 95-2205, R.C.M. 1947, is amended to read as follows:

'95-2205. Availability of the report to defendant and others. The judge may, in his discretion, make the investigation report or parts of it available to the defendants or others [, while concealing the identity of persons who provided confidential information]. If the court discloses the identity of persons who provided information, the judge may, in his discretion, allow the defendant to cross-examine those who rendered information. Such reports shall be part of the record [but shall be sealed and opened only on order of the court].

If a defendant is committed to a state institution the investigation report shall be sent to the institution at the time of commitment.'", and

Further amend page 3, lines 19 through 25 by omitting the following section numbers: "3-709, 10-703, 32-3925, 41-803, 69-6301, 69-6303, 71-406, 71-506, 71-607, 71-1207, 71-1403, 71-1520, 84-3406, 84-6701", and

As amended do pass.

(Material in brackets denotes cancelled type.)

GREELY, Chairman

Report adopted.

January 26, 1974

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 726, respectfully report as follows: That House Bill No. 726 be amended on page 2, Section 2, line 9 after the word: "corporation" by inserting the following material: "receiving a fee for", and

Be further amended on page 2, Section 3, line 15 before the word: "bonds" by inserting the words: "general obligation", and

Be further amended on page 2, Section 3, line 16 before the word: "bonds" by inserting the words: "general obligation", and

Be further amended on page 2, Section 3, line 20 before the word: "bonds" by inserting the words: "general obligation", and

Be further amended on page 2, Section 3, line 19 before the word: "or" by inserting the words: "a county", and

Be further amended on page 2, Section 2, line 8 after the word: "commissions" by inserting the words: "or method of determining that fee or commission", and

As amended, do pass.

BRAND, Chairman

Report adopted.

January 26, 1974

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 736, respectfully report as follows: That House Bill No. 736 do pass.

BRAND, Chairman

Report adopted.

January 26, 1974

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 737, respectfully report as follows: That House Bill No. 737 do pass.

BRAND, Chairman

Report adopted.

January 26, 1974

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 738, respectfully report as follows: That House Bill No. 738 do pass.

BRAND, Chairman

Report adopted.

January 26, 1974

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 739, respectfully report as follows: That House Bill No. 739 be amended on page 2, line 20 by deleting all the material after the word: "and" and inserting in lieu thereof the following material: "fix the interest rate for all contracts to be entered into during the succeeding year", and

Be further amended on page 2, line 20 by deleting the word: "piror" and inserting in lieu thereof the word: "prior", and

As amended, do pass.

BRAND, Chairman

Report adopted.

January 26, 1974

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 740, respectfully report as follows: That House Bill No. 740 do pass.

BRAND, Chairman

Report adopted.

January 28, 1974

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 761, respectfully report as follows: That House Bill No. 761 be amended on page 2, line 13 after the word: "vehicles" by inserting the words: "of a type", and

Be further amended on page 3, line 11 after the word: "vehicles" by inserting the words: "of a type", and

As amended, do pass.

MEHRENS, Chairman

Report adopted.

January 28, 1974

Mr. Speaker: We, your Committee on Local Government, having had under consideration House Bill No. 814, respectfully report as follows: That House Bill No. 814 be amended in line 8 of the title after the word: "large" by striking the punctuation: ";", and inserting the following words and punctuation: "until an optional or alternative form of government authorized by law has been adopted;", and

Be further amended on page 2, line 23 by inserting the following for Section 6: "Section 6. This act shall not apply to counties adopting an optional or alternative form of government authorized by law.", and

Be further amended on page 2, line 23 by changing "Section 6. This act is effective on its passage and approval." to: "Section 7. This act is effective on its passage and approval." and placing it after the new Section 6, and

As amended, do pass.

KOSENSA, Chairman

Report adopted.

January 28, 1974

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 817 respectfully report as follows: That House Bill No. 817 do pass.

MEHRENS, Chairman

Report adopted.

January 28, 1974

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 950, respectfully report as follows: That House Bill No. 950 be amended in the key on page 1, starting with line 4 through and including line 6, by omitting all the material contained therein and inserting in lieu thereof the new material: "66-2416, 66-2802, 69-2104, 69-2105, 69-2106, 69-2107, 69-2108, 69-2109, 69-2110, 69-2111, 69-2112, 69-2113, 69-2114, 69-2115, 69-2116, 69-2117, 69-2119, 69-2120, 69-2121, 69-2122, 69-2123, 69-2124, 69-2416, 69-4117, 82-1202, 82-1202.1", and

Be further amended in the title on page 1, line 10 after the word: "sections", by omitting the rest of the title through and including line 13 on page 1, and inserting in lieu thereof the following new material: "66-2416, 66-2802, 69-2105, 69-2107, 69-2109, 69-2110, 69-2111, 69-2112, 69-2113, 69-2114, 69-2116, 69-2117, 69-2119, 69-2122, 69-2123, 69-2124, 69-2416, 69-4117, 82-1202 and 82-1202.1; and repealing sections 69-2104, 69-2106, 69-2108, 69-2115, 69-2120 and 69-2121, R.C.M. 1947.", and

As amended, do pass.

BRAND, Chairman

Report adopted.

January 26, 1974

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 957, respectfully report as follows: That House Bill No. 957 be amended on page 2, line 5 following the word: "office" by inserting the words: "and its employees", and

Be further amended on page 2, lines 5, 6, 7 and 8 by deleting the words: "the hours of 8 A.M. to 4:30 P.M. each day except Saturday and legal holidays. If the

optional business hours are adopted the lunch period will be one-half (1/2) hour." and insert in lieu thereof the words: "hours other than 8 A.M. to 5 P.M. each day except Saturday and legal holidays, provided that each work day shall be eight (8) hours in length exclusive of the lunch break.", and

Be further amended on page 2, line 10 following the word and punctuation "employees." by inserting the following new sentence: "When optional hours are adopted, the state treasurer, and county and city treasurers may close their offices during the lunch period to safeguard funds, securities and records under their control.", and

Be further amended on page 2, Section 3, line 15 by deleting the words and punctuation "county attorney.", and

As amended, do pass.

BRAND, Chairman

Report adopted.

January 28, 1974

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 685, respectfully report as follows: That House Bill No. 685 do not pass.

MEHRENS, Chairman

January 28, 1974

Mr. Speaker: We, your Committee on Local Government, having had under consideration House Bill No. 863, respectfully report as follows: That House Bill No. 863 do not pass.

KOSENSA, Chairman

January 26, 1974

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Joint Resolution No. 23, respectfully report as follows: That House Joint Resolution No. 23 do not pass.

BRAND, Chairman

MESSAGES FROM THE GOVERNOR

January 28, 1974

Honorable Harold Gerke
Speaker of the House of Representatives
Capitol
Helena, Montana

Dear Speaker Gerke:

I have the honor to inform you that I have this day signed House Bill No. 479.

Sincerely,

THOMAS L. JUDGE
Governor

cc: Honorable Gordon McOmber

January 28, 1974

Honorable Harold Gerke
Speaker of the House of Representatives
Capitol
Helena, Montana

Dear Speaker Gerke:

I have the honor to inform you that I have this date approved House Bill No. 674.

Sincerely,

THOMAS L. JUDGE
Governor

cc: Honorable Gordon McOmber

MESSAGES FROM THE OTHER HOUSE

January 28, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Joint Resolution was this day on Committee report, not concurred in, report adopted, and the resolution is herewith returned to the House:

House Joint Resolution No. 8 introduced by Tierney

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

MOTIONS

Hager moved that House Resolution No. 46 be taken from the Committee on Highways and Transportation and referred to the Committee on Business and Industry.

Motion carried.

Fasbender moved that the House adjourn until 1:30 p.m., January 29, 1974.

Motion carried.

House adjourned.

HAROLD E. GERKE, Speaker

EDWIN A. SMITH, Chief Clerk

TWENTIETH LEGISLATIVE DAY

Helena, Montana
January 29, 1974

House Chambers
Capitol Building

House convened at 1:30 p.m., Mr. Speaker in the Chair.

Invocation by the Chaplain.

Pledge of Allegiance to the Flag.

Roll call. All members present except Hall, Lombardi, Marbut, Mehrens, Mercer and Tierney, all excused.

Quorum present.

Mr. Speaker: We, your Committee on Bills and Journal, having examined the daily journal for the Nineteenth Legislative Day, find the same to be correct.

QUILICI, Chairman

January 29, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills and resolution correctly printed: House Joint Resolution No. 59, House Bill No.

499, House Bill No. 598, House Bill No. 736, House Bill No. 737, House Bill No. 738, House Bill No. 740, House Bill No. 817.

QUILICI, Chairman
January 28, 1974
reported January 29, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill correctly engrossed: House Bill No. 778.

QUILICI, Chairman
January 29, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills considered correctly engrossed: House Bill No. 719, House Bill No. 787, House Bill No. 815, House Bill No. 822, House Bill No. 848, House Bill No. 883, House Bill No. 907, House Bill No. 925, House Bill No. 960.

QUILICI, Chairman
January 28, 1974

The following bills were signed in the office of the Speaker of the House of Representatives on January 28, 1974: House Bill No. 631, House Bill No. 641.

EDWIN A. SMITH, Chief Clerk
House of Representatives
January 29, 1974

Mr. Speaker: We, your Committee on Legislative Administration, recommend that the following be employed by the House of Representatives for the Second Regular Session of the 43rd Legislative Assembly effective January 28, 1974:

Kathy Gilbert.....	Page
Ron Grimsrud	Page
Jim Lucas.....	Page
Joan Schrammech.....	Page

As of January 31, 1974, the following also be employed:

Paula Goodman.....	Page
Tom Hallsten	Page
Tillie Hume.....	Page
Paula Povilaitis	Page

As of January 9, 1974, the following be terminated:

Mike Murray	Doorkeeper and Parking
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As of January 26, 1974, the following be terminated:

Vickie Hodges	Page
Robin Klemo	Page
Louis Nelson	Page
Patti McDonald.....	Page

As of January 30, 1974, the following be terminated:

Cathy Bustell.....	Page
James Halseth	Page
Patricia Tyler.....	Page
Lauri Solander.....	Page

EDLAND, Chairman

Report adopted.

January 29, 1974

Mr. Speaker: We, your Committee on Rules, having had under consideration the

possible conflict in House Bill No. 838 with Joint Rules 6-8 in regard to House Bill No. 109 having been finally rejected by the Senate in the last session, respectfully report as follows: That in view of Sections 75-6101 and 75-6103, R.C.M. 1947, and the other parts of these two bills, it is clear that the individuals affected are the same. Although narrower in scope House Bill No. 838 accomplishes the same purpose as would have been accomplished by House Bill No. 109 had it not been killed.

We, therefore, rule that House Bill No. 838 is therefore improperly introduced under Joint Rules 6-8 and therefore cannot be considered during this session of the legislature.

FASBENDER, Chairman

Report adopted.

January 29, 1974

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 465, respectfully report as follows: That Senate Bill No. 465 be amended on page 1, line 8 title after the words: "department of" by striking the material: "law enforcement and public safety" and inserting in lieu thereof the new material: "justice", and

Be further amended on page 1, line 14 by striking everything after the enacting clause and inserting in lieu thereof the following new material: "Section 1. Section 95-1005, R.C.M. 1947, is amended to read as follows: '95-1005. Remuneration of appointed counsel. Whenever, in a criminal action or proceeding, an attorney at law represents or defends any person by order of the court, on the ground that the person is financially unable to employ counsel, such attorney shall be paid for his services such sum as a district court or justice of the state supreme court certifies to be a reasonable compensation therefor and shall be reimbursed for reasonable costs incurred in the criminal proceeding. Such costs shall be chargeable to the county in which the proceeding arose, except that (a) in proceedings solely involving the violation of a city ordinance or state statute prosecuted in a municipal, city or police court wherein costs shall be chargeable to the city or town in which the proceeding arose, and (b) in arrests in criminal proceedings by agents of the department of fish and game and arrests by agents of the department of justice, the costs (including attorneys' fees of attorneys appointed by the court for the defendant) must be borne by the state agency causing the arrest.'", and

As amended, do pass.

HALL, Chairman

Report adopted.

January 29, 1974

Mr. Speaker: We, your Committee on Finance and Claims, having had under consideration House Bill No. 597, respectfully report as follows: That House Bill No. 597 do not pass.

BARDANOUE, Chairman

January 29, 1974

Mr. Speaker: We, your Committee on Rules, having had under consideration House Bill No. 632, respectfully report as follows: That committee amendments to a bill recommended Do Not Pass and requested within the 24 hour period for consideration for second reading will be printed as a regular second reading bill with the committee amendments incorporated in the bill.

FASBENDER, Chairman

Report adopted.

January 29, 1974

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 699, respectfully report as follows: That House Bill No. 699 do pass.

GUNDERSON, Chairman

Report adopted.

January 28, 1974

Mr. Speaker: We, your Committee on Agriculture, Livestock and Irrigation, having had under consideration House Bill No. 804, respectfully report as follows: That House Bill No. 804 be amended on page 1 of the introduced bill, line 5 of the title, following the word: "of" by striking the word: "A", and

Further amend page 1, lines 5 and 6 of the title, following the word: "feedlot" by striking the words: "of a livestock dealer", and

Further amend page 1, Section 1, line 9 following the word and number: "Section 1." by striking the word: "Commercial", and

Further amend page 1, Section 1, line 9 following the word: "A" by striking the word: "commercial", and

Further amend page 1, Section 1, line 11 following the word: "owner" by inserting the following new material: "or operator", and

Further amend page 1, Section 2, line 13 following the word: "in" by striking the word: "commercial", and

Further amend page 1, Section 2, line 15 by striking the word: "commercial", and

Further amend page 1, Section 3, line 23, following the word: "A" by striking the word: "commercial", and

As amended, do pass.

FLEMING, Chairman

Report adopted.

January 29, 1974

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 970, respectfully report as follows: That House Bill No. 970 be amended on page 1, line 8, title, after the word: "Montana" by inserting the new material: ", and providing an effective date", and

Be further amended on page 3, line 3 after the word and punctuation: "act." by adding a new section 4 reading as follows: "Section 4. This act shall be effective on January 1, 1975.", and

As amended, do pass.

HALL, Chairman

Report adopted.

January 29, 1974

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 1027, respectfully report as follows: That House Bill No. 1027 do not pass.

HALL, Chairman

January 29, 1974

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 1038, respectfully report as follows: That House Bill No. 1038 do not pass.

HALL, Chairman

January 29, 1974

Mr. Speaker: We, your Committee on Judiciary, having had under consideration

House Bill No. 1054, respectfully report as follows: That House Bill No. 1054 be amended on page 1, Section 1, line 18 after the word: "imprisonment" by inserting the punctuation mark: ",", and

Be further amended on page 1, Section 1, line 20 after the word: "act" by inserting the punctuation mark: ",", and

As amended, do pass.

HALL, Chairman

Report adopted.

January 29, 1974

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 1067, respectfully report as follows: That House Bill No. 1067 do not pass.

HALL, Chairman

January 29, 1974

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 1102 respectfully report as follows: That House Bill No. 1102 do not pass.

HALL, Chairman

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 685 was adopted by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Barrett, Bell, Brown, Burnett, Campbell, Castles, Clemow, Cotton, Cox, East, Edland, Ellerd, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Gunderson, Hageman, Hager, Haines, Healy, Hubing, Jacobsen, Johnston, Jones, Kendall, Kessner, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marks, Menahan, Murphy, Norman, Olson, Prevost, Quilici, Regan, Rolfe, Schepens, Seifert, Selstad, Shelden, Smith, Staigmillier, Stephens, Stoltz, Swanberg, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 72.

Noes: Bardanouve, Bennetts, Bradley, Colberg, Driscoll, Greely, H. Harper, R. Harper, Hodges, Huennekens, Kimble, Towe, Turman. Total 13.

Excused: Hall, Lombardi, Marbut, Mehrens, Mercer, Tierney. Total 6.

Absent or not voting: Ainsworth, Baucus, Brand, Fagg, Halvorson, Holmes, Holtz, Roberts, Schye. Total 9.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 863 was adopted by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, Hodges, Holmes, Holtz, Hubing, Huennekens, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lucas, Lund, Lundgren, McKittrick, Mann, Manuel, Marks, Menahan, Murphy, Norman, Olson, Prevost, Regan, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmillier, Stephens, Stoltz, Swanberg, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 83.

Noes: R. Harper, Healy, Lee, Lockrem, Lynch, Quilici. Total 6.

Excused: Hall, Lombardi, Marbut, Mehrens, Mercer, Tierney. Total 6.

Absent or not voting: Fagg, Jacobsen, Johnston, Lien, Roberts. Total 5.

In accordance with the 24 hour rule, the adverse committee report on House Joint Resolution No. 23 was adopted by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Hageman, Hager, Haines, Halvorson, Hodges, Holtz, Hubing, Johnston, Jones, Kendall, Kessner, Kimble, Kosena, Kvaalen, Laas, Lockrem, Lucas, Lund, Lundgren, McKittrick, Mann, Manuel, Marks, Menahan, Murphy, Norman, Olson, Prevost, Regan, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Stephens, Stoltz, Swanberg, Towe, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 76.

Noes: Barrett, Colberg, Gunderson, H. Harper, R. Harper, Healy, Holmes, Kolstad, Lee, Lynch, Quilici, Staigmilller, Turman. Total 13.

Excused: Hall, Lombardi, Marbut, Mehrens, Mercer, Tierney. Total 6.

Absent or not voting: Fagg, Huennekens, Jacobsen, Lien, Roberts. Total 5.

The Rules Committee report on House Bill No. 838 was adopted by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Baucus, Bell, Bennetts, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Driscoll, East, Edland, Ellerd, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holtz, Hubing, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lockrem, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marks, Menahan, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Staigmilller, Stephens, Stoltz, Swanberg, Turman, Ulmer, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 80.

Noes: Barrett, Cotton. Total 2.

Excused: Hall, Lombardi, Marbut, Mehrens, Mercer, Tierney. Total 6.

Absent or not voting: Bradley, Cox, Fagg, Haines, Holmes, Huennekens, Jacobsen, Lien, Smith, Towe, Turner, Walborn. Total 12.

MESSAGES FROM THE OTHER HOUSE

January 28, 1974

Mr. Speaker: I am directed by the Senate to inform your Honorable Body that the following Senate Bills and Resolution were this day read three several times, and passed, title and history agreed to, and the bills and resolution are herewith transmitted to the House for concurrence:

Senate Bill No. 48 introduced by Siderius

Senate Bill No. 490 introduced by Northey

Senate Joint Resolution No. 50 introduced by James and Turnage

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

MOTIONS

Fasbender moved that House Bill No. 632 be returned to the Committee on State Administration.

Motion carried.

Mehrens now present.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following bills were introduced, read first time and referred to committees:

House Bill No. 1104, introduced by Kimble, Norman, Haines, Flynn, Lockrem, R. Harper, Hodges, Glennen, Hayes, Jacobsen, Towe, Lynch, Stoltz, Turman, Watt: A bill for an act entitled: "An act making a supplemental appropriation to libraries of the Montana university system for the acquisition of books and periodicals." Referred to Committee on Finance and Claims.

House Bill No. 1105, introduced by Regan, Cox: A bill for an act entitled: "An act to appropriate moneys to establish a rural dentistry program in Montana through cooperation with the University of Minnesota School of Dentistry." Referred to Committee on Finance and Claims.

Senate Bill No. 48, introduced by Siderius, Broeder, Groff, Turnage, Lowe, Hazelbaker, Northey, Graham, McKeon, McCallum, Drake: A bill for an act entitled: "An act providing for comprehensive procedures for adopting occupational safety and health standards including: procedures for adopting standards; temporary orders and variances; inspections, investigations and recordkeeping; enforcement procedures; contested hearings; judicial review; imminent dangers; advisory councils; a review commission; penalties; repealing Sections 41-1708 through 41-1733, 69-4206 through 69-4211, 69-4213 through 69-4221, R.C.M. 1947; and providing an effective date." Referred to Committee on Labor and Employment.

Senate Bill No. 490, introduced by Northey: A bill for an act entitled: "An act to amend Section 26-501.1, R.C.M. 1947, relating to the possession and use of raptors by nonresidents." Referred to Committee on Fish and Game.

Senate Joint Resolution No. 50, introduced by James, Turnage: A Joint Resolution of the Senate and the House of Representatives of the State of Montana repealing Rule 40-3.78(6)-S78080 of the Montana Administrative Code, concerning monetary penalty for late renewal of certified pharmacy license. Referred to Committee on State Administration.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Fasbender moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading under the rules of the previous sitting.

Motion carried.

Manuel in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

January 29, 1974

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That House Bill No. 987 do pass. (86-0)

That House Bill No. 677 do pass. (49-38)

That House Bill No. 720 be amended in the Second Reading bill, page 2, Section 3, line 9 following the word: "after" by omitting the words: "full and timely" and by inserting in lieu thereof the word: "reasonable", and

Be further amended on page 2, line 10 following the word and punctuation: "public.", by omitting the words: "Such notice shall include" and by inserting in lieu thereof the words: "The public body shall also make available to the public", and

Be further amended on page 2, line 11 following the words: "or subjects" by omitting the words: "under consideration" and by inserting in lieu thereof the words: "expected to be considered" (86-0), and

As amended, do not pass. (55-39)

That House Bill No. 780 do pass. (86-0)

That House Bill No. 908 do pass. (87-0)

That House Bill No. 951 do pass. (87-2)

That House Joint Resolution No. 60 do pass. (77-6)

That the committee rise and report.

MANUEL, Chairman

As a substitute motion, Greely moved that House Bill No. 720 be segregated from the Committee of the Whole report and as amended, the report be adopted.

Motion carried.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner: House Bill No. 576 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosen, Kvaalen, Laas, Lee, Lien, Lockrem, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Marks, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Seifert, Shelden, Smith, Staigmillier, Stephens, Stoltz, Swanberg, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 90.

Noes: Greely. Total 1.

Excused: Hall, Lombardi, Marbut, Mercer, Tierney. Total 5.

Absent or not voting: Burnett, Manuel, Schye, Selstad. Total 4.

House Bill No. 671 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosen, Kvaalen, Laas, Lee, Lien, Lockrem, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marks, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Seifert, Selstad, Shelden, Smith, Staigmillier, Stephens, Stoltz, Swanberg, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 92.

Noes: None.

Excused: Hall, Lombardi, Marbut, Mercer, Tierney. Total 5.

Absent or not voting: Burnett, Halvorson, Schye. Total 3.

House Bill No. 682 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Brand, Brown, Burnett, Campbell, Castles, Clemow, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, R. Harper, Healy, Hodges, Holtz, Hubing, Jacobsen, Johnston, Jones, Kendall, Kessner, Kolstad, Kosen, Kvaalen, Laas, Lee, Lien, Lockrem, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marks, Mehrens, Menahan, Murphy, Olson, Prevost, Quilici, Regan, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmillier, Stephens, Stoltz, Swanberg, Turman, Turner, Ulmer, Walborn, Warfield, Yardley, Zimmer, Mr. Speaker. Total 84.

Noes: Bennetts, Bradley, Colberg, H. Harper, Holmes, Huennekens, Kimble, Norman, Roberts, Towe, Watt. Total 11.

Excused: Hall, Lombardi, Marbut, Mercer, Tierney. Total 5.

Absent or not voting: None.

House Bill No. 734 was passed by the following vote:

Ayes: Ageson, Ainsworth, Asbjornson, Baeth, Barrett, Baucus, Bell, Bennetts, Bradley, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marks, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Staigmillier, Stephens, Stoltz, Swanberg, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 92.

Noes: Bardanouve, Brand, Smith. Total 3.

Excused: Hall, Lombardi, Marbut, Mercer, Tierney. Total 5.

Absent or not voting: None.

House Bill No. 769 was passed by the following vote:

Ayes: Ageson, Ainsworth, Asbjornson, Baeth, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lucas, Lundgren, Lynch, McKittrick, Mann, Manuel, Marks, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Smith, Staigmillier, Stephens, Stoltz, Swanberg, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 92.

Noes: Lund. Total 1.

Excused: Hall, Lombardi, Marbut, Mercer, Tierney. Total 5.

Absent or not voting: Bardanouve, Shelden. Total 2.

House Bill No. 778 was passed by the following vote:

Ayes: Ageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Glennen, Greely, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marks, Menahan, Murphy, Norman, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Staigmillier, Stephens, Stoltz, Swanberg, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 89.

Noes: Burnett, Gunderson, Olson. Total 3.

Excused: Hall, Lombardi, Marbut, Mercer, Tierney. Total 5.

Absent or not voting: Galt, Mehrens, Smith. Total 3.

House Bill No. 779 was passed by the following vote:

Ayes: Ageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Jacobsen, Johnston, Jones, Kendall,

Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marks, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmilller, Stephens, Stoltz, Swanberg, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 92.

Noes: Burnett. Total 1.

Excused: Hall, Lombardi, Marbut, Mercer, Tierney. Total 5.

Absent or not voting: Colberg, Huennekens. Total 2.

House Bill No. 872 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marks, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmilller, Stephens, Stoltz, Swanberg, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 93.

Noes: Burnett, Campbell. Total 2.

Excused: Hall, Lombardi, Marbut, Mercer, Tierney. Total 5.

Absent or not voting: None.

House Bill No. 912 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kvaalen, Laas, Lee, Lien, Lockrem, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marks, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmilller, Stephens, Stoltz, Swanberg, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Yardley, Zimmer, Mr. Speaker. Total 94.

Noes: None.

Excused: Hall, Lombardi, Marbut, Mercer, Tierney. Total 5.

Absent or not voting: Watt. Total 1.

House Bill No. 928 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lund, Lynch, McKittrick, Mann, Manuel, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Staigmilller, Stephens, Stoltz, Swanberg, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 90.

Noes: Marks. Total 1.

Excused: Hall, Lombardi, Marbut, Mercer, Tierney. Total 5.

Absent or not voting: Kendall, Lucas, Lundgren, Smith. Total 4.

Senate Amendments to House Bill No. 22 were concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marks, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmillier, Stephens, Stoltz, Swanberg, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 92.

Noes: None.

Excused: Hall, Lombardi, Marbut, Mercer, Tierney. Total 5.

Absent or not voting: Burnett, Johnston, Lucas. Total 3.

REPORTS OF STANDING COMMITTEES

January 29, 1974

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 632, respectfully report as follows: That House Bill No. 632 be amended by striking all of Section 4, beginning on page 2, line 13 in its entirety through page 6, line 12 and inserting in lieu thereof the following new Section 4:

"Section 4. All agencies of the state government shall prepare and include in every agency recommendation or report by them on a proposal for legislation, proposed rule, regulation or code, or other action which will have a significant effect, as hereinafter defined, on employment, costs, or income in the state, an economic impact statement setting forth the following:

(1) A brief description of the primary purpose of the proposal and the manner in which it would operate.

(2) Citation of any law, regulation, or other authority pursuant to which it is made.

(3) In detail, provided that the proposal if adopted may, during the 24-month period first following its effective date, involve a loss of one percent or more of the primary employment, or one percent or more of the primary personal income of the county or counties to which it applies, the manner and extent to which it may:

(a) Curtail, prevent, or delay any existing or potential employment of people in the state during the 24-month period first following its effective date (separately described for each 12-month period thereof) the number of people engaged or likely to be engaged in such employment, the geographic area or areas where such employment is or may be undertaken, and the personal income generated or likely to be generated by such employment.

(b) Result in any adverse economic impacts within the state, including but not limited to: curtailment, prevention, or delay in potential construction, expansion, installation, modification, or alteration of any structure, equipment, facility, or process, or any use or uses likely to be made of them in their existing form; or requiring them to be modified or altered before being put to a use being made or likely to be made of them within the state; or result in increased costs to consumers of goods or services in the state, or to state and local governments.

(4) In detail, the manner and extent to which the proposal if adopted, may during the 24-month period first following its effective date, result directly or indirectly in economic activity, other than unemployment compensation and like activity, which may compensate economically in whole or in part for any significant

adverse economic effects that may result directly or indirectly from its implementation during said period, and give the geographic areas where such compensating actions may occur.

Information required by this section shall to the extent known by an agency be included if relevant in the agency economic impact statement. An impact statement that omits any information required by this section shall specifically note its omission; the reason for its omission; the importance of any relevant information so omitted to a realistic assessment of the economic impact of the proposal during the 24-month period first following its effective date (separately described for each 12-month period thereof); and the additional time and effort required to obtain information needed for such assessment.

No agency economic impact statement shall be released or otherwise made available to a member of the legislature or to the public without a separate statement, permanently affixed to it, by the department of IGR setting forth such comment or comments as it may deem appropriate concerning the adequacy and accuracy of the information contained in such economic impact statement and concerning the economic impact of such proposal,

(a) provided, upon the written request of an agency that prepared an economic impact statement the department of IGR shall prepare and furnish such separate statement thereon to that agency within 45 working days,

(b) provided further, that before its release an agency economic impact statement may be revised by that agency after it receives such separate statement thereon, and no agency-revised economic impact statement shall be released or otherwise made available without a further revised separate statement, permanently affixed to it, by the department of IGR in the manner hereinabove prescribed and provided, and

(c) provided further, that in the event of failure by said department to furnish such separate statements within the time required by this act, any agency economic impact statement shall note the date such statement was furnished said department and the 45 working days' time period during which it failed to furnish such separate statement.", and

As amended, do not pass.

BRAND, Chairman

January 29, 1974

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 640, respectfully report as follows: That House Bill No. 640 do not pass.

LEE, Chairman

January 29, 1974

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 660, respectfully report as follows: That House Bill No. 660 do not pass.

BRAND, Chairman

January 29, 1974

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 678, respectfully report as follows: That House Bill No. 678 be amended on page 1 in the title by striking lines 8, 9 and 10 in their entirety and inserting in lieu thereof the following new material: "firecrackers and bottle rockets.", and

Be further amended on page 2, Section 1, lines 16 through 25, and page 3, lines 1 through 19 by reinstating the stricken material, and

Be further amended on page 3, Section 1, line 25 and page 4, lines 1 through 13 by reinstating the stricken material, and

Be further amended on page 4, Section 1, line 14 by striking the letter: "c" and inserting in lieu thereof the letter: "e", and

Be further amended on page 2, Section 1, line 24 following the word: "bombs" by inserting in lieu thereof the following new material: ", firecrackers and bottle rockets", and

Be further amended on page 3, Section 1, line 25 by striking the number: "(8)" and inserting in lieu thereof the number: "(7)", and

Be further amended on page 4, Section 2, lines 19 and 20 by omitting the section in its entirety, and

As amended, do pass.

LEE, Chairman

Report adopted.

January 29, 1974

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 807, respectfully report as follows: That House Bill No. 807 do not pass.

BRAND, Chairman

January 29, 1974

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 825, respectfully report as follows: That House Bill No. 825 do not pass.

BRAND, Chairman

January 29, 1974

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 827, respectfully report as follows: That House Bill No. 827 do pass.

LEE, Chairman

Report adopted.

January 29, 1974

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 828, respectfully report as follows: That House Bill No. 828 do pass.

LEE, Chairman

Report adopted.

January 29, 1974

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 853, respectfully report as follows: That House Bill No. 853 do pass.

LEE, Chairman

Report adopted.

January 29, 1974

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 1028, respectfully report as follows: That House Bill No. 1028 be transferred to the Committee on Finance and Claims.

LEE, Chairman

Report adopted. Motion carried.

January 29, 1974

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Joint Resolution No. 41, respectfully report as follows: That House Joint Resolution No. 41 do not pass.

BRAND, Chairman

January 29, 1974

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Joint Resolution No. 55, respectfully report as follows: That House Joint Resolution No. 55 do not pass.

BRAND, Chairman

MESSAGES FROM THE OTHER HOUSE

January 29, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate rejected House amendments to Senate Bill No. 459 on January 28, 1974 and the President was authorized to appoint a Conference Committee to meet with a like committee from the House to confer on House amendments to Senate Bill No. 459.

The President this day appointed the following members:

Senator McKeon, Chairman
Senator Goodheart
Senator Turnage

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

MOTIONS

Fasbender moved that the Speaker appoint a Conference Committee to meet with a like committee from the Senate on House amendments to Senate Bill No. 459.

Motion carried.

The Speaker appointed Marbut, Swanberg and Zimmer.

Fasbender moved that the House adjourn until 1:30 p.m., January 30, 1974.

Motion carried.

House adjourned.

HAROLD E. GERKE, Speaker

EDWIN A. SMITH, Chief Clerk

TWENTY-FIRST LEGISLATIVE DAY

Helena, Montana
January 30, 1974

House Chambers
Capitol Building

House convened at 1:30 p.m., Mr. Speaker in the Chair.

Invocation by the Chaplain.

Pledge of Allegiance to the Flag.

Roll call. All members present except Haines, Hall, Lombardi, Marbut and Mercer, all excused.

Quorum present.

Mr. Speaker: We, your Committee on Bills and Journal, having examined the daily journal for the Twentieth Legislative Day, find the same to be correct.

QUILICI, Chairman

January 30, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills and resolution considered correctly engrossed: House Bill No. 677, House Bill No. 780, House Bill No. 908, House Bill No. 951, House Bill No. 987, House Joint Resolution No. 60.

QUILICI, Chairman

January 29, 1974

reported January 30, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill correctly printed: House Bill No. 77.

QUILICI, Chairman

January 29, 1974

reported January 30, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill correctly engrossed: House Bill No. 663.

QUILICI, Chairman

January 30, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill correctly engrossed: House Bill No. 857.

QUILICI, Chairman

January 30, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly printed: House Bill No. 599, House Bill No. 629, House Bill No. 699, House Bill No. 726, House Bill No. 739, House Bill No. 761, House Bill No. 814, House Bill No. 827, House Bill No. 828, House Bill No. 853, House Bill No. 957.

QUILICI, Chairman

Objection raised by Lockrem on adverse committee report on House Bill No. 632. Referred to Second Reading.

Objection raised by Halvorson on adverse committee report on House Bill No. 660. Referred to Second Reading.

January 30, 1974

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 483, respectfully report as follows: That Senate Bill No. 483 be concurred in.

YARDLEY, Vice-Chairman

Report adopted.

January 30, 1974

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 527, respectfully report as follows: That Senate Bill No. 527 be concurred in.

YARDLEY, Vice-Chairman

Report adopted.

January 30, 1974

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 529, respectfully report as follows: That Senate Bill No. 529 be not concurred in.

YARDLEY, Vice-Chairman

January 29, 1974

Mr. Speaker: We, your Committee on Highways and Transportation, having had under consideration House Bill No. 626, respectfully report as follows: That House Bill No. 626 do not pass.

LAAS, Chairman

January 30, 1974

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 649 respectfully report as follows: That House Bill No. 649 do pass.

MEHRENS, Chairman

Report adopted.

January 29, 1974

Mr. Speaker: We, your Committee on Highways and Transportation, having had under consideration House Bill No. 730, respectfully report as follows: That House Bill No. 730 do not pass.

LAAS, Chairman

January 29, 1974

Mr. Speaker: We, your Committee on Natural Resources, having had under consideration House Bill No. 732, respectfully report as follows: That House Bill No. 732 in the introduced bill be amended on page 1, Section 1, line 14 by omitting the word: "commission" and inserting in lieu thereof the word: "board", and

Be further amended on page 1, Section 1, Subsection A, line 15 by omitting the word: "commission" and inserting in lieu thereof the word: "board", and

Be further amended on page 1, Section 1, Subsection B, line 17 by omitting the word: "commission" and inserting in lieu thereof the word: "board", and

Be further amended on page 1, Section 1, Subsection B, line 20 by omitting the word: "commission" and inserting in lieu thereof the word: "board", and

Be further amended on page 1, Section 1, Subsection C, line 22 by omitting the word: "commission" and inserting in lieu thereof the word: "board", and

Be further amended on page 2, Section 1, Subsection C, Sub-subsection (1) (d), line 10 after the word: "lands" by omitting the words: "and surface vegetation" and inserting in lieu thereof the following: "to their previous grade and productive capability", and

Be further amended on page 2, Section 1, Subsection C, Sub-subsection (1) (g), line 23 by omitting the word: "commission" and inserting in lieu thereof the word: "board", and

Be further amended on page 2, Section 1, Subsection C, Sub-subsection (1) (g), line 25 by omitting the word: "commission" and inserting in lieu thereof the word: "board", and

Be further amended on page 3, Section 1, Subsection C, Sub-subsection (5), line 19 by omitting the word: "commission" and inserting in lieu thereof the word: "board", and

Be further amended on page 3, Section 1, Subsection C, Sub-subsection (5), line 20 after the word: "parts" by omitting the following: "(1) (c) and", and

Be further amended on page 3, Section 1, Subsection C, Sub-subsection (5), line 21, by omitting the word: "commission" and inserting in lieu thereof the word: "board", and

Be further amended on page 4, Section 1, Subsection D, line 1 by omitting the word: "commission" and inserting in lieu thereof the word: "board", and

Be further amended on page 4, Section 1, Subsection E, line 12 by omitting the word: "commission" and inserting in lieu thereof the word: "board", and

Be further amended on page 4, Section 2, line 23 by omitting the word: "commission" and inserting in lieu thereof the word: "board", and

Be further amended on page 5, Section 2, line 2 by omitting the word: "commission" and inserting in lieu thereof the words: "board a copy of the", and

Be further amended on page 5, Section 2, lines 2, 3 and 4 by omitting all the material following the word and punctuation: "explore," and inserting in lieu thereof the following material: "filed with the county under Section 69-3303.", and

Be further amended on page 5, Section 3, lines 7 and 8 by omitting the words: "make an inventory" and inserting in lieu thereof the words: "maintain a list", and

Be further amended on page 5, Section 3, Subsection (1), lines 13, 14 and 15 by omitting all the material contained in these lines and inserting in lieu thereof the following material: "board. This list shall be compiled from petitions or written statements from the owners of surface rights or lessees.", and

Be further amended on page 5, Section 3, Subsection (2), line 16 by omitting the word: "commission" and inserting in lieu thereof the word: "board", and

Be further amended on page 5, Section 3, Subsection (2), line 16 by omitting the word: "inventory" and inserting in lieu thereof the word: "list", and

Be further amended on page 5, Section 3, Subsection (2), line 21 by omitting the word: "commission" in two places and inserting in lieu thereof in two places the word: "board", and

Be further amended on page 6, Section 3, Subsection (3), line 2 by omitting the word: "commission" and inserting in lieu thereof the word: "board", and

Be further amended on page 6, Section 3, Subsection (3), line 5 after the numbers: "84-7009" by inserting: ", when available", and

As amended, do pass.

SHELDEN, Chairman

Report adopted.

January 29, 1974

Mr. Speaker: We, your Committee on Highways and Transportation, having had under consideration House Bill No. 744, respectfully report as follows: That House Bill No. 744 be amended on page 3, line 3, Section 1 of the original bill by striking the following material: "(3) Any vehicle which local law enforcement officials determine has a loan value of one hundred dollars (\$100) or less may be directly submitted for disposal under the junk car law, Title 69, Chapter 68, R.C.M. 1947, upon a release given by the law enforcement official which release contains a description of the vehicle including year, make, model, serial number, and license number if available.", and inserting in lieu thereof the following material: "(3) A vehicle found by law enforcement officials to be a 'junk vehicle' as defined by section 69-6801 and certified as having an appraised value of one hundred dollars (\$100) or less as determined by the county assessor in accordance with the rules and regulations of the department of revenue may be directly submitted for disposal in accordance with the provisions of Chapter 69-68, upon a release given by the sheriff. In the release the sheriff shall include the following information: a description of the vehicle including year, make, model, serial number, and license number if available. A release provided by the sheriff under this section shall be

transmitted to the motor vehicle wrecking facility and shall be considered by that facility to meet the requirements for records under section 69-6804.", and

As amended, do pass.

LAAS, Chairman

Report adopted.

January 30, 1974

Mr. Speaker: We, your Committee on Taxation, having had under consideration House Bill No. 788, respectfully report as follows: That House Bill No. 788 be amended on page 1, after line 11 by inserting the following new material: "Section 2. This act is effective upon passage and approval and shall affect all taxes levied and assessed after January 1, 1974.", and

As amended, do pass.

WATT, Chairman

Report adopted.

January 29, 1974

Mr. Speaker: We, your Committee on Highways and Transportation, having had under consideration House Bill No. 913, respectfully report as follows: That House Bill No. 913 be amended on page 4, Section 1, line 1 by inserting before the word: "agricultural" the words: "harvest or harvest related", and

Further amend on page 4, Section 1, line 1 by inserting after the word: "machinery" the word "solely", and

As amended, do pass.

LAAS, Chairman

Report adopted.

January 29, 1974

Mr. Speaker: We, your Committee on Natural Resources, having had under consideration House Bill No. 922, respectfully report as follows: That House Bill No. 922 be amended in the introduced bill on page 1, Section 1, line 15 following the word: "may" by inserting the following: "by written notice given within fifteen (15) days thereafter", and

As amended, do pass.

SHELDEN, Chairman

Report adopted.

January 29, 1974

Mr. Speaker: We, your Committee on Highways and Transportation, having had under consideration House Bill No. 993, respectfully report as follows: That House Bill No. 993 do not pass.

LAAS, Chairman

January 29, 1974

Mr. Speaker: We, your Committee on Natural Resources, having had under consideration House Joint Resolution No. 63, respectfully report as follows: That House Joint Resolution No. 63 be adopted.

SHELDEN, Chairman

Report adopted.

January 30, 1974

Mr. Speaker: We, your Committee on Taxation, having had under consideration

House Bill No. 1055, respectfully report as follows: That House Bill No. 1055 do not pass.

WATT, Chairman

January 30, 1974

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 1060, respectfully report as follows: That House Bill No. 1060 be amended on page 1, line 8, title, after the word: "drugs" by inserting the new material: ", and provide an effective date", and

Be further amended on page 2, Section 2, line 22 after the word and punctuation: "court." by adding a new Section 2 to read as follows: "Section 2. This act shall be effective on its passage and approval.", and

As amended, do pass.

YARDLEY, Vice-Chairman

Report adopted.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following bill was introduced, read first time and referred to committee:

House Bill No. 1106, introduced by Stephens (by request): A bill for an act entitled: "An act appropriating the sum of thirty-seven thousand two hundred and ten dollars (\$37,210) to the Department of Health and Environmental Sciences for the purpose of Administration of the preventive dental health program of the department." Referred to Committee on Finance and Claims.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Fasbender moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading under the rules of the previous sitting.

Motion carried.

Warfield in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

January 30, 1974

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That House Bill No. 77 do pass. (87-2)

That House Bill No. 499 do not pass. (54-41)

That House Bill No. 598 do pass. (82-0)

That House Bill No. 720 be amended in Section 1, page 1, line 20 following the word: "any" by inserting the word: "agency", and

Further amend Section 1, page 1, line 21 following the word: "other" by inserting the words: "multi-member", and

Further amend Section 1, page 1, line 22 by striking the words: "or agencies", and

Further amend Section 1, page 1, line 24 by striking the word: "is" and inserting in lieu thereof the words: "and juries are", and

Further amend Section 1, page 1, line 25 by striking the word: "a", and

Further amend Section 1, page 1, line 25 by striking the word: "body" and inserting in lieu thereof the word: "bodies" (75-2), and

Further amend Section 3, page 2, line 12 by adding the following new sentence: "Judicial and quasi-judicial boards having previously held a hearing, with notice, are not required by this act to provide notice of the deliberation at which the formal action is taken."

Further amend Section 3, page 2, line 9 of the Second Reading bill following the word: "after" by omitting the words: "full and timely" and by inserting in lieu thereof the word: "reasonable", and

Further amend Section 3, page 2, line 10, following the word and punctuation "public.", by omitting the words: "Such notice shall include" and by inserting in lieu thereof the words: "The public body shall also make available to the public", and

Further amend Section 3, page 2, line 11 following the words: "or subjects" by omitting the words: "under consideration" by inserting in lieu thereof the words: "expected to be considered" (81-0), and

Further amend Section 4, page 2, line 15 following the words: "meets the" by omitting the word: "requirements" and by inserting in lieu thereof the words: "notice requirement" (78-0), and

As amended, do pass. (51-45)

That House Bill No. 736 do pass. (77-0)

That House Bill No. 737 do pass. (82-0)

That House Bill No. 738 do pass. (83-0)

That House Bill No. 740 do pass. (86-0)

That House Bill No. 817 do pass. (82-1)

That House Joint Resolution No. 59 do pass. (67-23)

That Senate Bill No. 465 be concurred in. (74-0)

That the committee rise and report.

WARFIELD, Chairman

Warfield moved for adoption of the Committee of the Whole Report.

As a substitute motion, Towe moved that House Bill No. 499 be segregated from the Committee of the Whole report and the report be adopted as amended. Lockrem requested a roll call vote with the Ayes and Nays spread on the Journal. Sufficient seconds arose and the motion failed by the following vote:

Ayes: Baeth, Bardanouve, Baucus, Bennetts, Bradley, Brand, Brown, Colberg, Cotton, Driscoll, Edland, Fagg, Fasbender, Fleming, Greely, Gunderson, Hageman, H. Harper, R. Harper, Hodges, Holmes, Huennekens, Jacobsen, Kendall, Kimble, Lynch, McKittrick, Manuel, Menahan, Murphy, Norman, Regan, Roberts, Shelden, Staigmiller, Stephens, Stoltz, Swanberg, Towe, Turman, Watt, Zimmer. Total 42.

Noes: Aageson, Ainsworth, Asbjornson, Barrett, Bell, Burnett, Campbell, Castles, Clemow, Cox, East, Ellerd, Flynn, Forsgren, Galt, Glennen, Hager, Haines, Halvorson, Healy, Holtz, Hubing, Johnston, Jones, Kessner, Kolstad, Kvaalen, Laas, Lee, Lien, Lockrem, Lucas, Lund, Lundgren, Mann, Marks, Mehrens, Mercer, Olson, Prevost, Quilici, Rolfe, Schepens, Schye, Seifert, Selstad, Smith, Tierney, Turner, Ulmer, Walborn, Warfield, Mr. Speaker. Total 53.

Paired: Fasbender, R. Harper, Huennekens, Towe, Aye; Hager, Haines, Mercer, Walborn, Nay.

Excused: Hall, Lombardi, Marbut. Total 3.

Absent or not voting: Kosena, Yardley. Total 2.

Thereupon, the Committee of the Whole report was adopted.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 663 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Barrett, Baucus, Bell, Bennetts, Bradley, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Glennen, Greely, Gunderson, Hageman, Hager, Halvorson, H. Harper, R. Harper, Hodges, Holtz, Hubing, Huennekens, Jacobsen, Kendall, Kessner, Kimble, Kolstad, Kvaalen, Lien, Lockrem, Lucas, Lund, McKittrick, Mann, Manuel, Murphy, Norman, Olson, Prevost, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Shelden, Stephens, Stoltz, Swanberg, Towe, Turman, Turner, Ulmer, Warfield, Yardley, Mr. Speaker. Total 71.

Noes: Brand, Cotton, Healy, Kosena, Laas, Lee, Lombardi, Lynch, Marks, Mehrens, Menahan, Quilici, Selstad, Staigmilller, Tierney, Watt, Zimmer. Total 17.

Excused: Haines, Hall, Marbut, Mercer. Total 4.

Absent or not voting: Bardanouve, Galt, Holmes, Johnston, Jones, Lundgren, Smith, Walborn. Total 8.

House Bill No. 719 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marks, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Smith, Staigmilller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 92.

Noes: None.

Excused: Haines, Hall, Marbut, Mercer. Total 4.

Absent or not voting: East, Holmes, Lombardi, Walborn. Total 4.

House Bill No. 787 was passed by the following vote:

Ayes: Aageson, Baeth, Bardanouve, Barrett, Baucus, Bennetts, Bradley, Brand, Colberg, Cotton, Driscoll, Edland, Fagg, Fasbender, Fleming, Greely, Gunderson, Hager, Halvorson, H. Harper, R. Harper, Healy, Hodges, Huennekens, Jacobsen, Kimble, Kosena, Laas, Lee, Lien, Lynch, McKittrick, Manuel, Mehrens, Menahan, Murphy, Norman, Prevost, Quilici, Regan, Roberts, Schepens, Shelden, Staigmilller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Watt, Yardley, Mr. Speaker. Total 53.

Noes: Ainsworth, Asbjornson, Bell, Brown, Burnett, Campbell, Castles, Clemow, Cox, East, Ellerd, Flynn, Forsgren, Galt, Glennen, Hageman, Holtz, Hubing, Johnston, Jones, Kessner, Kolstad, Kvaalen, Lockrem, Lucas, Lund, Lundgren, Mann, Marks, Olson, Rolfe, Schye, Seifert, Selstad, Smith, Turner, Ulmer, Warfield, Zimmer. Total 39.

Paired: Hager, Aye; Selstad, Nay.

Excused: Haines, Hall, Marbut, Mercer. Total 4.

Absent or not voting: Holmes, Kendall, Lombardi, Walborn. Total 4.

House Bill No. 815 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming,

Flynn, Førgren, Galt, Glennen, Greely, Hageman, Hager, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kolstad, Kosen, Kvaalen, Laas, Lee, Lien, Lockrem, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Marks, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmill, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 90.

Noes: Kimble. Total 1.

Excused: Haines, Hall, Lombardi, Marbut, Mercer. Total 5.

Absent or not voting: Gunderson, Holmes, Manuel, Walborn. Total 4.

House Bill No. 822 was passed by the following vote:

Ayes: Ainsworth, Asbjørnson, Baeth, Bardanouve, Barrett, Baucus, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, Edland, Fagg, Fasbender, Fleming, Flynn, Førgren, Glennen, Greely, Gunderson, Hageman, Halvorson, H. Harper, R. Harper, Healy, Hodges, Hubing, Huennekens, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosen, Kvaalen, Laas, Lee, Lien, Lockrem, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Shelden, Staigmill, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 79.

Noes: Aageson, Bell, East, Ellerd, Galt, Hager, Holtz, Jacobsen, Marks, Seifert, Selstad, Smith, Ulmer. Total 13.

Excused: Haines, Hall, Lombardi, Marbut, Mercer. Total 5.

Absent or not voting: Holmes, Manuel, Walborn. Total 3.

House Bill No. 848 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjørnson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Førgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosen, Kvaalen, Laas, Lee, Lockrem, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marks, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmill, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 92.

Noes: None.

Excused: Haines, Hall, Lombardi, Marbut, Mercer. Total 5.

Absent or not voting: Holmes, Lien, Walborn. Total 3.

House Bill No. 883 was passed by the following vote:

Ayes: Ainsworth, Baeth, Bardanouve, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Castles, Clemow, Colberg, Cotton, Driscoll, East, Ellerd, Fagg, Fasbender, Fleming, Førgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holtz, Hubing, Huennekens, Jones, Kessner, Kimble, Kosen, Kvaalen, Lee, Lucas, Lundgren, Lynch, McKittrick, Mann, Marks, Mehrens, Menahan, Norman, Prevost, Quilici, Regan, Rolfe, Schye, Seifert, Selstad, Shelden, Stephens, Stoltz, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Mr. Speaker. Total 68.

Noes: Aageson, Asbjørnson, Barrett, Campbell, Cox, Edland, Flynn, Jacobsen, Johnston, Kendall, Kolstad, Laas, Lien, Lockrem, Lund, Manuel, Murphy, Olson, Roberts, Schepens, Smith, Staigmill, Swanberg, Yardley, Zimmer. Total 25.

Excused: Haines, Hall, Lombardi, Marbut, Mercer. Total 5.

Absent or not voting: Holmes, Walborn. Total 2.

House Bill No. 907 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Glennen, Greely, Gunderson, Hageman, Hager, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lockrem, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marks, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 89.

Noes: Burnett, East. Total 2.

Excused: Haines, Hall, Lombardi, Marbut, Mercer. Total 5.

Absent or not voting: Galt, Holmes, Lien, Walborn. Total 4.

House Bill No. 925 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Gunderson, Hageman, Hager, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lockrem, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marks, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 91.

Noes: None.

Excused: Haines, Hall, Lombardi, Marbut, Mercer. Total 5.

Absent or not voting: Greely, Johnston, Lien, Walborn. Total 4.

House Bill No. 960 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Clemow, Colberg, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fleming, Flynn, Forsgren, Galt, Glennen, Gunderson, Hageman, Hager, R. Harper, Healy, Hodges, Holtz, Hubing, Huennekens, Johnston, Jones, Kendall, Kessner, Kolstad, Kosena, Laas, Lee, Lockrem, Lombardi, Lundgren, Lynch, McKittrick, Mann, Mehrens, Menahan, Murphy, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Turner, Ulmer, Warfield, Yardley, Mr. Speaker. Total 71.

Noes: Bardanouve, Castles, Cotton, Halvorson, H. Harper, Holmes, Jacobsen, Kimble, Kvaalen, Lucas, Lund, Manuel, Marks, Norman, Selstad, Shelden, Smith, Towe, Turman, Watt, Zimmer. Total 21.

Paired: Lombardi, Aye. Holmes, Nay.

Excused: Haines, Hall, Marbut, Mercer. Total 4.

Absent or not voting: Fasbender, Greely, Lien, Walborn. Total 4.

REPORTS OF STANDING COMMITTEES

January 30, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills and resolution correctly printed: House Bill No. 649, House Bill No. 1040, House Joint Resolution No. 63, House Bill No. 970, House Bill No. 1054.

QUILICI, Chairman

Objection raised by Turner on adverse committee report on House Bill No. 1055. Referred to Second Reading.

January 29, 1974

Mr. Speaker: We, your Committee on Local Government, having had under consideration House Bill No. 758, respectfully report as follows: That House Bill No. 758 be amended in Section 1, line 9 after the word: "alley" by inserting: "deeded to or owned by a city, town or county and", and

Be further amended in Section 1, line 11 by striking: "council" and inserting in lieu thereof the words: "governing body", and

Be further amended in Section 1, line 15 after the word, punctuation and sentence by adding the following sentence: "However, the adjoining property owners shall be given an opportunity to purchase the land at ninety percent (90%) of appraised value before the land is offered to other purchasers.", and

Be further amended by adding the following new section: "Section 2. The provisions of Section 11-964, R.C.M. 1947, shall not apply to land offered for sale under this act.", and

As amended, do pass.

KOSENA, Chairman

Report adopted.

January 30, 1974

Mr. Speaker: We, your Committee on Local Government, having had under consideration House Bill No. 901, respectfully report as follows: That House Bill No. 901 do pass.

KOSENA, Chairman

Report adopted.

January 30, 1974

Mr. Speaker: We, your Committee on Local Government, having had under consideration House Bill No. 978, respectfully report as follows: That House Bill No. 978 do pass.

KOSENA, Chairman

Report adopted.

January 30, 1974

Mr. Speaker: We, your Committee on Rules, having had under consideration House Resolution No. 18, respectfully report as follows: That House Resolution No. 18 do not pass.

FASBENDER, Chairman

January 30, 1974

Mr. Speaker: We, your Committee on Rules, having had under consideration House Resolution No. 47, respectfully report as follows: That House Resolution No. 47 do pass.

FASBENDER, Chairman

Report adopted.

January 30, 1974

Mr. Speaker: We, your Committee on Rules, having had under consideration Senate Bill No. 478, respectfully report as follows: That Senate Bill No. 478 be concurred in.

FASBENDER, Chairman

Report adopted.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 597 was adopted by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Bardanouve, Barrett, Bell, Brand, Brown, Burnett, Campbell, Castles, Colberg, Cotton, Driscoll, East, Edland, Ellerd, Fasbender, Fleming, Flynn, Forsgren, Glennen, Gunderson, Hager, Halvorson, Healy, Hodges, Holtz, Hubing, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lockrem, Lucas, Lynch, McKittrick, Mann, Manuel, Marks, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Selstad, Smith, Staigmillier, Stephens, Swanberg, Tierney, Turman, Turner, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 71.

Noes: Baucus, Bennetts, Cox, Greely, H. Harper, R. Harper, Holmes, Lund, Shelden, Towe, Ulmer. Total 11.

Excused: Haines, Hall, Lombardi, Marbut, Mercer. Total 5.

Absent or not voting: Ainsworth, Bradley, Clemow, Fagg, Galt, Hageman, Huennekens, Lien, Lundgren, Schye, Seifert, Stoltz, Walborn. Total 13.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 640 was adopted by the following vote:

Ayes: Aageson, Asbjornson, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brown, Burnett, Campbell, Colberg, Cox, Driscoll, East, Edland, Ellerd, Fasbender, Fleming, Flynn, Forsgren, Glennen, Greely, Gunderson, Hager, H. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Jacobsen, Johnston, Jones, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lockrem, Lucas, Lund, Lynch, McKittrick, Mann, Manuel, Marks, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Quilici, Regan, Rolfe, Schepens, Selstad, Shelden, Smith, Stephens, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 73.

Noes: Baeth, Cotton, R. Harper, Kendall. Total 4.

Excused: Haines, Hall, Lombardi, Marbut, Mercer. Total 5.

Absent or not voting: Ainsworth, Brand, Castles, Clemow, Fagg, Galt, Hageman, Halvorson, Huennekens, Kessner, Lien, Lundgren, Roberts, Schye, Seifert, Staigmillier, Stoltz, Walborn. Total 18.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 807 was adopted by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bradley, Brand, Brown, Burnett, Campbell, Colberg, Cotton, Cox, Driscoll, Edland, Ellerd, Fasbender, Fleming, Flynn, Forsgren, Glennen, Greely, Gunderson, Hageman, Halvorson, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Jones, Kimble, Kolstad, Kosena, Kvaalen, Lee, Lockrem, Lucas, Lund, Lynch, McKittrick, Mann, Marks, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Schepens, Selstad, Shelden, Smith, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Warfield, Watt, Yardley, Mr. Speaker. Total 73.

Noes: Bell, Bennetts, Castles, Hager, H. Harper, Kendall, Laas, Rolfe, Ulmer. Total 9.

Excused: Haines, Hall, Lombardi, Marbut, Mercer. Total 5.

Absent or not voting: Clemow, East, Fagg, Galt, Johnston, Kessner, Lien, Lundgren, Manuel, Schye, Seifert, Walborn, Zimmer. Total 13.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 825 was adopted by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brown, Burnett, Campbell, Castles, Colberg, Cotton, Cox,

Driscoll, East, Edland, Ellerd, Fasbender, Fleming, Flynn, Forsgren, Glennen, Greely, Gunderson, Hageman, Hager, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosen, Kvaalen, Laas, Lee, Lockrem, Lund, Lynch, McKittrick, Mann, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Quilici, Regan, Rolfe, Schepens, Selstad, Shelden, Smith, Staigmill, Stephens, Stoltz, Swanberg, Tierney, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 79.

Noes: Brand. Total 1.

Excused: Haines, Hall, Lombardi, Marbut, Mercer. Total 5.

Absent or not voting: Clemow, Fagg, Galt, Halvorson, Lien, Lucas, Lundgren, Manuel, Marks, Roberts, Schye, Seifert, Towe, Walborn, Zimmer. Total 15.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 1027 was adopted by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brown, Burnett, Campbell, Castles, Colberg, Cotton, Driscoll, East, Ellerd, Fasbender, Fleming, Flynn, Forsgren, Glennen, Gunderson, Hageman, Halvorson, R. Harper, Healy, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosen, Kvaalen, Laas, Lee, Lockrem, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marks, Mehrens, Menahan, Murphy, Norman, Olson, Quilici, Regan, Schepens, Selstad, Shelden, Smith, Staigmill, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Mr. Speaker. Total 76.

Noes: Brand, Edland, Greely, Hager, H. Harper, Hodges, Prevost, Rolfe. Total 8.

Excused: Haines, Hall, Lombardi, Marbut, Mercer. Total 5.

Absent or not voting: Clemow, Cox, Fagg, Galt, Lien, Roberts, Schye, Seifert, Walborn, Yardley, Zimmer. Total 11.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 1038 was adopted by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bradley, Brand, Brown, Burnett, Campbell, Castles, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fasbender, Fleming, Flynn, Forsgren, Glennen, Greely, Gunderson, Hageman, Hager, R. Harper, Healy, Hodges, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosen, Kvaalen, Laas, Lee, Lockrem, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marks, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Quilici, Regan, Rolfe, Schepens, Seifert, Selstad, Shelden, Smith, Staigmill, Stephens, Stoltz, Swanberg, Tierney, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 81.

Noes: H. Harper, Holmes, Zimmer. Total 3.

Excused: Haines, Hall, Lombardi, Marbut, Mercer. Total 5.

Absent or not voting: Bennetts, Clemow, Fagg, Galt, Halvorson, Lien, Mann, Roberts, Schye, Towe, Walborn. Total 11.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 1067 was adopted by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Barrett, Baucus, Bell, Brand, Brown, Burnett, Campbell, Castles, Colberg, Driscoll, East, Ellerd, Fasbender, Fleming, Flynn, Forsgren, Glennen, Gunderson, Hageman, Hager, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holtz, Hubing, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosen, Kvaalen, Lee, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marks, Mehrens, Menahan, Murphy, Norman, Olson, Quilici, Regan, Rolfe, Schepens, Seifert, Selstad, Shelden, Smith, Staigmill, Stephens, Stoltz, Swanberg, Turner, Ulmer, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 72.

Noes: Bennetts, Cotton, Edland, Greely, Holmes, Jacobsen, Lockrem, Tierney, Towe. Total 9.

Excused: Haines, Hall, Lombardi, Marbut, Mercer. Total 5.

Absent or not voting: Bardanouve, Bradley, Clemow, Cox, Fagg, Galt, Huennekens, Laas, Lien, Prevost, Roberts, Schye, Turman, Walborn. Total 14.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 1102 was adopted by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Baucus, Bell, Bennetts, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Driscoll, East, Edland, Ellerd, Fasbender, Fleming, Flynn, Forsgren, Glennen, Greely, Gunderson, Hageman, Halvorson, Healy, Hodges, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kimble, Kosena, Kvaalen, Laas, Lee, Lockrem, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marks, Mehrens, Murphy, Norman, Olson, Prevost, Quilici, Regan, Schepens, Seifert, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 73.

Noes: Barrett, Bradley, Brand, Burnett, Cox, Hager, H. Harper, R. Harper, Holmes, Kendall, Kessner, Kolstad, Menahan, Rolfe, Selstad, Zimmer. Total 16.

Excused: Haines, Hall, Lombardi, Marbut, Mercer. Total 5.

Absent or not voting: Fagg, Galt, Lien, Roberts, Schye, Walborn. Total 6.

In accordance with the 24 hour rule, the adverse committee report on House Joint Resolution No. 41 was adopted by the following vote:

Ayes: Ainsworth, Asbjornson, Baeth, Bardanouve, Baucus, Bennetts, Bradley, Brand, Campbell, Clemow, Colberg, Driscoll, Edland, Ellerd, Fasbender, Fleming, Flynn, Forsgren, Glennen, Greely, Gunderson, Hageman, Halvorson, Healy, Hodges, Holtz, Huennekens, Jacobsen, Johnston, Kendall, Kessner, Kosena, Laas, Lee, Lien, Lucas, Lund, McKittrick, Mann, Manuel, Marks, Mehrens, Norman, Olson, Prevost, Quilici, Regan, Seifert, Selstad, Staigmiller, Stephens, Stoltz, Swanberg, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 62.

Noes: Aageson, Barrett, Bell, Brown, Burnett, Castles, Cotton, Cox, Hager, H. Harper, R. Harper, Holmes, Hubing, Jones, Kimble, Kolstad, Kvaalen, Lockrem, Lynch, Menahan, Murphy, Rolfe, Schepens, Schye, Tierney. Total 25.

Excused: Haines, Hall, Lombardi, Marbut, Mercer. Total 5.

Absent or not voting: East, Fagg, Galt, Lundgren, Roberts, Shelden, Smith, Walborn. Total 8.

In accordance with the 24 hour rule, the adverse committee report on House Joint Resolution No. 55 was adopted by the following vote:

Ayes: Aageson, Ainsworth, Baeth, Bardanouve, Baucus, Bell, Brand, Brown, Burnett, Campbell, Castles, Cox, East, Edland, Ellerd, Fasbender, Fleming, Flynn, Glennen, Gunderson, Hager, Healy, Holtz, Hubing, Jacobsen, Johnston, Jones, Kendall, Kessner, Kolstad, Kosena, Kvaalen, Laas, Lee, Lockrem, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marks, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Quilici, Regan, Rolfe, Schepens, Seifert, Selstad, Staigmiller, Stephens, Swanberg, Tierney, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 67.

Noes: Asbjornson, Barrett, Bennetts, Bradley, Clemow, Colberg, Cotton, Driscoll, Forsgren, Greely, Hageman, H. Harper, R. Harper, Hodges, Holmes, Huennekens, Kimble, Lien, Schye, Shelden, Stoltz, Towe. Total 22.

Excused: Haines, Hall, Lombardi, Marbut, Mercer. Total 5.

Absent or not voting: Fagg, Galt, Halvorson, Roberts, Smith, Walborn. Total 6.

MOTIONS

Fasbender moved that House Bills Nos. 956, 768, 934, 905, 935, 902 and House

Joint Resolution No. 46 be taken from the Committee on Constitution, Elections and Federal Relations and referred to the Committee on Rules.

Motion carried.

Fasbender moved that House Bills Nos. 724 and 1045 be taken from the Committee on Fish and Game and referred to the Committee on Rules.

Motion carried.

Fasbender moved that House Bills Nos. 1033 and 1076 be taken from the Committee on Natural Resources and referred to the Committee on Rules.

Motion carried.

Fasbender moved that House Bills Nos. 708, 1063 and 1100 be taken from the Committee on Business and Industry and referred to the Committee on Rules.

Motion carried.

Fasbender moved that House Bill No. 1074 be taken from the Committee on Public Health, Welfare and Safety and referred to the Committee on Rules.

Motion carried.

Fasbender moved that House Bills Nos. 932, 936, 1048 and 1096 be taken from the Committee on Local Government and referred to the Committee on Rules.

Motion carried.

Fasbender moved that House Bill No. 862 be taken from the Committee on Taxation and referred to the Committee on Rules.

Motion carried.

Fasbender moved that House Bills Nos. 821 and 968 be taken from the Committee on Agriculture, Livestock and Irrigation and referred to the Committee on Rules.

Motion carried.

Edland moved that Senate Joint Resolution No. 50 be taken from the Committee on State Administration and referred to the Committee on Business and Industry.

Motion carried.

Fasbender moved that the House adjourn until 1:30 p.m., January 31, 1974.

Motion carried.

House adjourned.

HAROLD E. GERKE, Speaker

EDWIN A. SMITH, Chief Clerk

TWENTY-SECOND LEGISLATIVE DAY

Helena, Montana
January 31, 1974

House Chambers
Capitol Building

House convened at 1:30 p.m., Mr. Speaker in the Chair.

Invocation by the Chaplain.

Pledge of Allegiance to the Flag.

Roll call. All members present except Greeley and Hall, both excused.

Quorum present.

Mr. Speaker: We, your Committee on Bills and Journal, having examined the daily journal for the Twenty-first Legislative Day, find the same to be correct.

QUILICI, Chairman

COMMUNICATIONS AND PETITIONS

Mr. Al L. Hydman, Jr., Executive Deputy Secretary of the Department of Community Affairs of the Commonwealth of Pennsylvania briefly addressed the Assembly.

REPORTS OF STANDING COMMITTEES

January 31, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills and resolution correctly printed: House Bill No. 721, House Bill No. 804, House Bill No. 901, House Bill No. 913, House Bill No. 978, House Resolution No. 47, House Bill No. 950, House Bill No. 1060, House Bill No. 922, House Bill No. 788.

QUILICI, Chairman

January 31, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills and resolution considered correctly engrossed: House Bill No. 77, House Bill No. 598, House Bill No. 736, House Bill No. 737, House Bill No. 738, House Bill No. 740, House Bill No. 817, House Joint Resolution No. 59.

QUILICI, Chairman

January 31, 1974

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 839, respectfully report as follows: That House Bill No. 839 do pass.

GUNDERSON, Chairman

Report adopted.

January 31, 1974

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 1019, respectfully report as follows: That House Bill No. 1019 do pass.

GUNDERSON, Chairman

Report adopted.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 626 was adopted by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kimble, Kolstad, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lynch, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Schepens, Schye, Seifert, Smith, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 87.

Noes: None.

Excused: Greely, Hall. Total 2.

Absent or not voting: Ainsworth, Driscoll, Gunderson, Kessner, Kosena, Lundgren, McKittrick, Rolfe, Selstad, Shelden, Towe. Total 11.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 730 was adopted by the following vote:

Ayes: Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Campbell, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Glennen, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lien, Lockrem, Lombardi, Lucas, Lund, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Schepens, Schye, Seifert, Selstad, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 85.

Noes: Aageson, Brown. Total 2.

Excused: Greely, Hall. Total 2.

Absent or not voting: Burnett, Castles, Forsgren, Galt, Holmes, Holtz, Kessner, Lee, Lundgren, Rolfe, Shelden. Total 11.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 993 was adopted by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bennetts, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fasbender, Fleming, Flynn, Forsgren, Glennen, Gunderson, Hageman, Hager, Halvorson, R. Harper, Healy, Holtz, Hubing, Huennekens, Jones, Kendall, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lund, Lynch, McKittrick, Mann, Manuel, Marbut, Mehrens, Menahan, Mercer, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Selstad, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 78.

Noes: Bell, Fagg, H. Harper, Holmes, Murphy, Towe, Turman, Zimmer. Total 8.

Excused: Greely, Hall. Total 2

Absent or not voting: Bradley, Galt, Haines, Hodges, Jacobsen, Johnston, Kessner, Lucas, Lundgren, Marks, Seifert, Shelden. Total 12.

In accordance with the 24 hour rule, the adverse committee report on House Resolution No. 18 was adopted by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, Edland, Ellerd, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Gunderson, Haines, Halvorson, R. Harper, Healy, Hodges, Holtz, Hubing, Jacobsen, Johnston, Jones, Kendall, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lombardi, Lucas, Lund, Lynch, McKittrick, Mann, Manuel, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Rolfe, Schepens, Schye, Selstad, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 81.

Noes: Hager, H. Harper, Huennekens, Lockrem, Marbut, Marks, Roberts, Turman. Total 8.

Excused: Greely, Hall. Total 2.

Absent or not voting: Bradley, East, Fagg, Hageman, Holmes, Kessner, Lundgren, Seifert, Shelden. Total 9.

MESSAGES FROM THE OTHER HOUSE

January 30, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was this day read three times and concurred in as amended, title and history agreed to and the said bill is herewith returned to the House for concurrence in Senate amendments:

House Bill No. 86 introduced by Lucas, et al

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

January 30, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bills and Resolution were this day read three several times, and passed, title and history agreed to, and the bills and resolution are herewith transmitted to the House for concurrence:

Senate Bill No. 453 introduced by Deschamps

Senate Bill No. 495 introduced by Hazelbaker and Lynch

Senate Bill No. 500 introduced by Turnage

Senate Bill No. 519 introduced by Moore

Senate Bill No. 523 introduced by Hall, Zody and Keenan

Senate Bill No. 540 introduced by Bollinger and Romney

Senate Bill No. 549 introduced by Story and Boylan

Senate Bill No. 555 introduced by Turnage, McGowan, et al

Senate Bill No. 556 introduced by Moore, Lynch, et al

Senate Bill No. 580 introduced by Bennett, Drake, and Harrison

Senate Bill No. 582 introduced by Bollinger, Graham, and Mathers

Senate Bill No. 615 introduced by McDonald, Devine, et al

Senate Bill No. 621 introduced by Moore and Lynch

Senate Bill No. 636 introduced by Bennett, Drake and Harrison

Senate Bill No. 650 introduced by Harrison and McGowan

Senate Bill No. 669 introduced by Bollinger and Graham

Senate Joint Resolution No. 52 introduced by the Natural Resources Committee

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

MOTIONS

R. Harper moved that House Joint Resolution No. 49 be taken from the Committee on Business and Industry and referred to the Committee on Labor and Employment Relations.

Motion carried.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following bills and resolutions were introduced, read first time and referred to committees:

House Resolution No. 49, introduced by Edland: A Resolution of the House of Representatives of the State of Montana requesting housing and related care facilities for the elderly. Referred to Committee on Public Health.

House Resolution No. 50, introduced by East, Hubing, Jones, Turner, Marks,

Clemow, Bell, Healy, Mehrens, Flynn, Holtz, Tierney, Manuel, Lucas, Selstad, Quilici, Ulmer, Kosena: A Resolution of the House of Representatives of the State of Montana recommending the appointment of the Employment Security Division, Montana State Department of Labor and Industry by the Governor of the State of Montana for the purpose of administering the Comprehensive Employment and Training Act of 1973. Referred to Committee on Labor and Employment.

Senate Joint Resolution No. 52, introduced by Natural Resources Committee: A Joint Resolution of the Senate and the House of Representatives of the State of Montana requesting the Department of Natural Resources and Conservation and the Resource Conservation Advisory Council to recommend to the 1975 Legislative Session proposed legislation and implementing rules and standards establishing a statewide program for the control of soil erosion and sediment damage. Referred to Committee on Natural Resources.

Senate Bill No. 453, introduced by Deschamps, Siderius (by request): A bill for an act entitled: "An act for revision of the laws relating to the Department of Military affairs[, and providing that this act is effective upon its passage and approval]." Referred to Committee on Constitution, Elections and Federal Relations.

Senate Bill No. 495, introduced by Hazelbaker, Lynch: A bill for an act entitled: "An act requiring insured personal property losses to be computed at the valuations stated in the policy when such valuations affect the premium." Referred to Committee on Business and Industry.

Senate Bill No. 500, introduced by Turnage: A bill for an act entitled: "An act to amend Sections 48-143, 48-146, 48-149, R.C.M. 1947, relating to the age, residence and notice requirements for the issuance of marriage licenses; and repealing Sections 48-118.1 and 48-145, R.C.M. 1947." Referred to Committee on Judiciary.

Senate Bill No. 519, introduced by Moore: A bill for an act entitled: "An act to amend Section 75-8305, R.C.M. 1947, directing the county attorney to represent the county superintendent upon his request; authorizing and requiring trustees of school districts to employ other legal counsel and providing an effective date." Referred to Committee on Judiciary.

Senate Bill No. 523, introduced by Hall, Zody, Keenan: A bill for an act entitled: "An act authorizing cities or towns to destroy documents relating to utility operation that are not required by the Public Service Commission." Referred to Committee on Local Government.

Senate Bill No. 540, introduced by Bollinger, Romney: A bill for an act entitled: "An act amending Section 69-4902, R.C.M. 1947, to provide that a water supply that serves twenty-five (25) or more persons is a public water supply." Referred to Committee on Local Government.

Senate Bill No. 549, introduced by Story, Boyle: A bill for an act entitled: "An act authorizing the Department of Natural Resources and Conservation to impose special conditions on a water use permit, recognizing upstream storage rights, and amending Sections 89-886 and 89-889, R.C.M. 1947." Referred to Committee on Natural Resources.

Senate Bill No. 555, introduced by Turnage, McGowan, Moore, Graham, Hall, Darrow, Cochrane, Keenan, McDonald, Shea, McNamer, Sorensen, Lowe, Breeden, Bennett, Story, James, McCallum, Northey, Devine, Hazelbaker, Romney, Carl, Flynn, Aber, Goodheart, Klindt, Bertsche, Rosell, Deschamps, Siderius, McKeon: A bill for an act entitled: "An act providing for public inspection of all records of the Division of Workmen's Compensation bearing upon claims and awards; declaring a compelling state interest in the right to inspect such records; declaring that in such cases the merits of public disclosure exceed the demand of individual privacy; conforming the Division of Workmen's Compensation public disclosure requirements to Sections 9 and 10 of Article II of the 1972 Montana Constitution; amending Section 92-809, R.C.M. 1947; and repealing Section 92-1348, R.C.M. 1947." Referred to Committee on Labor and Employment Relations.

Senate Bill No. 556, introduced by Moore, Lynch, Hazelbaker, Graham: A bill for an act entitled: "An act to establish the position of Code Commissioner; to provide for a new Montana Code on a continuing basis; and to repeal Sections 12-301

through 12-329, 12-331, 12-332 and 12-332.1, R.C.M. 1947." Referred to Committee on Judiciary.

Senate Bill No. 580, introduced by Bennett, Drake, Harrison: A bill for an act entitled: "An act amending Section 84-708.1, R.C.M. 1947, prohibiting the Department of Revenue from putting into effect any reappraisal or new valuations of property for property tax purposes in any county except as part of a statewide, uniform reassessment or new valuation." Referred to Committee on Taxation.

Senate Bill No. 582, introduced by Bollinger, Graham, Mathers: A bill for an act entitled: [An act a bill for an act entitled:] "An act amending Section 46-1501, R.C.M. 1947, to permit joint herd districts which cross two (2) or more county lines." Referred to Committee on Agriculture, Livestock and Irrigation.

Senate Bill No. 615, introduced by McDonald, Devine, Klindt, Lowe: A bill for an act entitled: "An act to amend Section 75-6404, R.C.M. 1947, to change the regular school election day from the first Saturday in April of each year to the first Tuesday of April of each year; and providing an effective date." Referred to Committee on Constitution, Elections and Federal Relations.

Senate Bill No. 621, introduced by Moore, Lynch: A bill for an act entitled: "An act amending Section 93-401, R.C.M. 1947, to change the responsibility of conducting the Justice of the Peace Orientation Course from the Montana Magistrate's Association to the University of Montana School of Law." Referred to Committee on Judiciary.

Senate Bill No. 636, introduced by Bennett, Drake, Harrison: A bill for an act entitled: "An act to provide for a cyclical program for the revaluation of taxable property on a county-by-county basis; providing for equalization of valuation of taxable property between the counties; prohibiting the adoption of other programs of revaluation of taxable property; repealing Section 84-429.13, R.C.M. 1947; and providing an effective date." Referred to Committee on Taxation.

Senate Bill No. 650, introduced by Harrison, McGowan: A bill for an act entitled: "An act to amend Sections 89-869, 89-880, 89-892 and 89-893, R.C.M. 1947, of the Water Use Act of 1973 to provide for clarification and more efficient administration of the act by authorizing the Board of Natural Resources and Conservation to adopt rules providing for interim approval of changes in appropriation rights; by making it clear that construction may not be commenced prior to receiving a permit; by providing for an exemption from the permit requirements for all wells less than one-hundred (100) gallons a minute; and by providing for simplified procedures in approving changes and transfers of appropriation rights; and providing an effective date." Referred to Committee on Natural Resources.

Senate Bill No. 669, introduced by Bollinger, Graham: A bill for an act entitled: "An act establishing certain officers of the Legislature and providing that they be elected by their respective chambers." Referred to Committee on Legislative Administration.

(Material in brackets denotes cancelled type.)

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Fasbender moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading under the rules of the previous sitting.

Motion carried.

Mehrens in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

January 31, 1974

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That House Bill No. 599 be amended in Section 1, page 1, line 14 following the

word: "rehabilitation" by striking the word: "program" and inserting in lieu thereof the word: "programs" (90-0), and

Further amend Section 2, page 1, line 22 following the word: "social" by inserting the word: "and" (85-0), and

As amended, do pass. (91-0)

That House Bill No. 629 do pass. (74-12)

That House Bill No. 649 do pass. (88-2)

That House Bill No. 660 do pass. (73-19)

That House Bill No. 699 be amended in Section 1, page 2, following line 23 by adding the following new paragraph: "If the trustees adopt a total general fund budget which exceeds one hundred twelve percent (112%) of the general fund budget for the preceding year, they shall file a notice of this increase with the state superintendent of public instruction, setting forth the specific reasons for so increasing the budget. No state equalization aid money may be distributed to the district until the notice required by this paragraph has been filed." (54-42), and

As amended, do pass. (80-10)

That House Bill No. 726 do pass. (79-0)

That House Bill No. 739 do pass. (90-1)

That House Bill No. 761 do pass. (62-24)

That House Bill No. 814 do pass. (78-9)

That House Bill No. 827 do pass. (74-4)

That House Bill No. 828 do pass. (72-5)

That House Bill No. 853 do pass. (65-0)

That House Bill No. 957 do pass. (81-1)

That House Bill No. 970 be passed for the day.

That House Bill No. 1040 do pass. (85-0)

That House Bill No. 1059 do pass. (84-1)

That House Bill No. 1055 do not pass. (55-28)

That House Joint Resolution No. 63 do pass. (77-1)

That Senate Bill No. 478 be concurred in. (77-0)

That Senate Bill No. 483 be concurred in. (77-2)

That Senate Bill No. 527 be concurred in. (78-5)

That the Committee rise and report.

MEHRENS, Chairman

Ulmer moved that House Bill No. 660 be segregated from the Committee of the Whole report, and as amended, the report be adopted.

Motion carried.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 677 was passed by the following vote:

Ayes: Asbjornson, Baeth, Bardanouve, Baucus, Bennetts, Bradley, Brand, Brown, Colberg, Cox, Driscoll, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Gunderson, Haines H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing,

Huennekens, Johnston, Kendall, Kimble, Kosena, Laas, Lee, Lien, Lombardi, Lucas, Lund, Lynch, McKittrick, Mann, Manuel, Mehrens, Menahan, Murphy, Norman, Quilici, Regan, Rolfe, Schepens, Schye, Selstad, Shelden, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Ulmer, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 64.

Noes: Aageson, Bell, Burnett, Campbell, Castles, Clemow, East, Glennen, Hager, Holtz, Jacobsen, Jones, Kessner, Kolstad, Kvaalen, Lockrem, Mercer, Prevost, Seifert, Turner. Total 20.

Excused: Greely, Hall. Total 2.

Absent or not voting: Ainsworth, Barrett, Cotton, Galt, Hageman, Halvorson, Lundgren, Marbut, Marks, Olson, Roberts, Smith, Turman, Walborn. Total 14.

House Bill No. 780 was passed by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fleming, Flynn, Forsgren, Galt, Glennen, Gunderson, Hageman, Hager, Haines, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turner, Ulmer, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 91.

Noes: None.

Excused: Greely, Hall, Total 2.

Absent or not voting: Ainsworth, Fasbender, Halvorson, Marbut, Roberts, Turman, Walborn. Total 7.

House Bill No. 857 was passed by the following vote:

Ayes: Aageson, Baeth, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Colberg, Cotton, Cox, Edland, Ellerd, Fagg, Fleming, Flynn, Forsgren, Glennen, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kimble, Kolstad, Kosena, Laas, Lee, Lien, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Quilici, Regan, Rolfe, Schepens, Schye, Shelden, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Ulmer, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 73.

Noes: Asbjornson, Bardanouve, Burnett, Clemow, Driscoll, East, Galt, Gunderson, Hodges, Kessner, Kvaalen, Lockrem, Mann, Olson, Prevost, Seifert, Selstad, Smith, Turner, Walborn. Total 20.

Excused: Greely, Hall. Total 2.

Absent or not voting: Ainsworth, Fasbender, Marbut, Roberts, Turman. Total 5.

House Bill No. 908 was passed by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 94.

Noes: None.

Excused: Greely, Hall. Total 2.

Absent or not voting: Ainsworth, Marbut, Roberts, Turman. Total 4.

House Bill No. 951 was passed by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmilller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 90.

Noes: Gunderson, Hodges, Lien. Total 3.

Excused: Greely, Hall. Total 2.

Absent or not voting: Ainsworth, Johnston, Marbut, Roberts, Turman. Total 5.

House Bill No. 987 was passed by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmilller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 92.

Noes: Brand, Johnston. Total 2.

Excused: Greely, Hall. Total 2.

Absent or not voting: Ainsworth, Marbut, Roberts, Turman. Total 4.

House Joint Resolution No. 60 was passed by the following vote:

Ayes: Aageson, Baeth, Bardanouve, Baucus, Bennetts, Bradley, Brown, Burnett, Campbell, Castles, Colberg, Cotton, Driscoll, Edland, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Gunderson, Halvorson, H. Harper, R. Harper, Healy, Holmes, Huennekens, Jacobsen, Kendall, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marks, Mehrens, Menahan, Murphy, Norman, Prevost, Quilici, Regan, Schepens, Shelden, Smith, Staigmilller, Stephens, Stoltz, Swanberg, Tierney, Towe, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 67.

Noes: Asbjornson, Barrett, Bell, Brand, Clemow, Cox, East, Ellerd, Glennen, Hageman, Haines, Holtz, Hubing, Johnston, Jones, Kessner, Mann, Mercer, Olson, Rolfe, Seifert, Selstad, Turner. Total 23.

Excused: Greely, Hall. Total 2.

Absent or not voting: Ainsworth, Hager, Hodges, Lien, Marbut, Roberts, Schye, Turman. Total 8.

Senate Bill No. 465 was concurred in by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Flynn, Forsgren, Galt, Glennen, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi,

Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Towe, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 93.

Noes: None.

Excused: Greely, Hall. Total 2.

Absent or not voting: Ainsworth, Fleming, Marbut, Roberts, Turman. Total 5.

REPORTS OF STANDING COMMITTEES

January 31, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly enrolled: House Bill No. 22, House Bill No. 592.

FLEMING, Chairman

January 31, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly printed: House Bill No. 632, House Bill No. 678, House Bill No. 1019, House Bill No. 839.

QUILICI, Chairman

January 31, 1974

I have examined House Bill No. 592 introduced by me and find the same to be correct.

MARBUT

January 31, 1974

I have examined House Bill No. 22 introduced by me and find the same to be correct.

AINSWORTH

January 31, 1974

The following bills will be signed at adjournment on January 31, 1974, in the office of the Speaker of the House of Representatives: House Bill No. 22, House Bill No. 592.

EDWIN A. SMITH, Chief Clerk
House of Representatives

January 31, 1974

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 676, respectfully report as follows: That House Bill No. 676 be amended on page 1, Section 1, line 14 before the word: "gas" by inserting the following material: "electricity or", and

Be further amended on page 1, Section 1, line 24 by deleting the period "." after the word: "area" and inserting the following: ", provided, however, that nothing contained in that section shall affect or negate any provision of the Territorial Integrity Act of 1971 (sections 70-501 through 70-508 of the R.C.M. 1947).", and

Be further amended on page 2, Section 1, lines 3 and 4 after the word: "the" by deleting all the material contained therein and inserting in lieu thereof the following material: "rates agreed to under such a contract.", and

As amended, do not pass.

BRAND, Chairman

Report adopted.

January 31, 1974

Mr. Speaker: We, your Committee on Rules, having had under consideration House Bill No. 770, respectfully report as follows: That House Bill No. 770 do pass.

FASBENDER, Chairman

Report adopted.

January 31, 1974

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 796, respectfully report as follows: That House Bill No. 796 do pass.

BRAND, Chairman

Report adopted.

January 31, 1974

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 856, respectfully report as follows: That House Bill No. 856 do not pass.

BRAND, Chairman

January 31, 1974

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 997, respectfully report as follows: That House Bill No. 997 do not pass.

BRAND, Chairman

January 31, 1974

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 1002, respectfully report as follows: That House Bill No. 1002 do pass.

BRAND, Chairman

Report adopted.

January 31, 1974

Mr. Speaker: We, your Committee on Rules, having had under consideration House Joint Resolution No. 71, respectfully report as follows: That House Joint Resolution No. 71 do not pass.

FASBENDER, Chairman

January 31, 1974

Mr. Speaker: We, your Committee on Rules, having had under consideration House Resolution No. 38, respectfully report as follows: That House Resolution No. 38 do not pass.

FASBENDER, Chairman

Fasbender moved that the House adjourn until 1:30 p.m., February 1, 1974.

Motion carried.

House adjourned.

HAROLD E. GERKE, Speaker

EDWIN A. SMITH, Chief Clerk

TWENTY-THIRD LEGISLATIVE DAY

Helena, Montana
February 1st, 1974

House Chambers
Capitol Building

House convened at 1:30 p.m., Mr. Speaker in the Chair.

Invocation by the Chaplain.

Pledge of Allegiance to the Flag.

Roll call. All members present except Asbjornson, Hall and Kimble, all excused.

Quorum present.

Mr. Speaker: We, your Committee on Bills and Journal, having examined the daily journal for the Twenty-second Legislative Day, find the same to be correct.

QUILICI, Chairman

February 1, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills and resolution considered correctly engrossed: House Bill No. 629, House Bill No. 649, House Bill No. 726, House Bill No. 739, House Bill No. 761, House Bill No. 814, House Bill No. 828, House Bill No. 853, House Bill No. 827, House Bill No. 957, House Bill No. 1040, House Bill No. 1054, House Joint Resolution No. 63.

QUILICI, Chairman

February 1, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly printed: House Bill No. 744, House Bill No. 758, House Bill No. 770, House Bill No. 796, House Bill No. 1002.

QUILICI, Chairman

February 1, 1974

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bill No. 489, House Bill No. 631, House Bill No. 641, do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day, at the hour of 8:25 o'clock, A.M., delivered to the Governor for his approval.

QUILICI, Chairman

February 1, 1974

The following bill will be signed at adjournment on February 1, 1974, in the office of the Speaker of the House of Representatives: Senate Bill No. 510.

EDWIN A. SMITH, Chief Clerk
House of Representatives

January 31, 1974

The following bills were signed in the office of the Speaker of the House of Representatives on January 31, 1974: House Bill No. 22, House Bill No. 592.

EDWIN A. SMITH, Chief Clerk
House of Representatives

Objection raised by Towe on adverse committee report on House Bill No. 676. Referred to second reading.

February 1, 1974

Mr. Speaker: We, your Committee on Taxation, having had under consideration House Bill No. 361, respectfully report as follows: That House Bill No. 361 do not pass.

WATT, Chairman

February 1, 1974

Mr. Speaker: We, your Committee on Taxation, having had under consideration House Bill No. 618, respectfully report as follows: That House Bill No. 618 do not pass.

WATT, Chairman

February 1, 1974

Mr. Speaker: We, your Committee on Taxation, having had under consideration House Bill No. 622, respectfully report as follows: That House Bill No. 622 do not pass.

WATT, Chairman

February 1, 1974

Mr. Speaker: We, your Committee on Taxation, having had under consideration House Bill No. 630, respectfully report as follows: That House Bill No. 630 do not pass.

WATT, Chairman

February 1, 1974

Mr. Speaker: We, your Committee on Rules, having had under consideration House Bill No. 636, respectfully report as follows: That House Bill No. 636 do not pass.

FASBENDER, Chairman

February 1, 1974

Mr. Speaker: We, your Committee on Taxation, having had under consideration House Bill No. 667, respectfully report as follows: That House Bill No. 667 do not pass.

WATT, Chairman

January 31, 1974

Mr. Speaker: We, your Committee on Highways and Transportation, having had under consideration House Bill No. 813, respectfully report as follows: That House Bill No. 813 be amended in the title, page 1, line 13 by striking the punctuation mark: "." and inserting in lieu thereof the following punctuation mark and words: "; and providing an effective date.", and

Be further amended on page 3, Section 1, line 16 by adding the following new material: "This act is effective on passage and approval.", and

As amended, do pass.

LAAS, Chairman

Report adopted.

January 31, 1974

Mr. Speaker: We, your Committee on Highways and Transportation, having had under consideration House Bill No. 876, respectfully report as follows: That House Bill No. 876 do pass.

LAAS, Chairman

Report adopted.

February 1, 1974

Mr. Speaker: We, your Committee on Taxation, having had under consideration House Bill No. 886, respectfully report as follows: That House Bill No. 886 be amended on page 1, line 7 of the title, after the word: "tax" by omitting the words: "classification and", and

Be further amended on page 1, line 8 of the title, after the word: "operators" by omitting the words and punctuation: ", and amending sections 84-301 and 84-6008, R.C.M. 1947", and

Be further amended on page 2, Section 1, line 14 after the word: "homes" by omitting the words: "and agricultural harvesting machines classified under Class Five (c) of this section", and

Be further amended on page 4, Section 1, line 21 after the word: "both" by omitting the punctuation and words: "[.], and agricultural harvesting machinery operated on the lands of persons other than the owner of the machinery under a contract for hire", and

Be further amended on page 9, Section 2, line 7 after the word and punctuation: "workers." by omitting the words: "Agricultural harvesting machinery licensed in other states, operated on the lands of persons other than the owner of the machinery, under contracts for hire, are subject to taxation only if they are operated in the state for sixty (60) days or more in a year or if they are sold in Montana.", and inserting in lieu thereof the words and punctuation: "Agricultural harvesting machinery classified under Class 2, section 84-301 R.C.M. 1947, licensed in other states, operated on the lands of persons other than the owner of the machinery, under contracts for hire shall be subject to a fee, in lieu of taxation, of thirty-five dollars (\$35.00) per machine for a sixty (60) day period. Such machines shall be subject to taxation under Class 2 only if they are sold in Montana.", and

As amended, do pass.

(Material in brackets denotes cancelled type.)

WATT, Chairman

Report adopted.

February 1, 1974

Mr. Speaker: We, your Committee on Taxation, having had under consideration House Bill No. 894, respectfully report as follows: That House Bill No. 894 be amended on page 4, Section 1, Subsection 3, line 2 after the word: "the" by striking the words: "state highway commission", and inserting in lieu thereof the words: "department of highways", and

Be further amended on page 4, Section 1, Subsection 3, line 5 after the word: "the" by omitting the words: "state highway commission", and inserting in lieu thereof the words: "department of highways", and

Be further amended on page 4, Section 1, Subsection 4, line 18 after the word: "to" by striking the word: "the" and inserting in lieu thereof the word: "applicable", and

Be further amended on page 4, Section 1, Subsection 4, line 19 after the word: "procedures" by striking the following existing material and omitting the following new material: "specified in chapter 41, Title 32 of this code for projects therein specified and in other cases according to the provisions of this code for public works contracts of such cities, counties and towns", and inserting in lieu thereof the words: "follow in all cases where the contract for construction, reconstruction and maintenance or repair is in excess of \$4,000.", and

Be further amended on page 5, Section 1, Subsection 6, line 13 after the word: "the" by striking the words: "state highway commission", and inserting in lieu thereof the words: "department of highways", and

Be further amended on page 5, Section 1, Subsection 6, line 17 after the word: "the" by striking the words: "state highway commission", and inserting in lieu thereof the words: "department of highways", and

As amended, do pass.

WATT, Chairman

Report adopted.

February 1, 1974

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 945, respectfully report as follows: That House Bill No. 945 do not pass.

HALL, Chairman

February 1, 1974

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 965, respectfully report as follows: That House Bill No. 965 be amended on page 1, lines 18, 19, 20 and 21 by striking all the material after the word and punctuation: "thereon." and inserting in lieu thereof the new material: "Such proceedings cannot be commenced by a non-governmental entity until all authorizations directly related to the proposed public use and necessity have been obtained as provided by applicable local, state, and federal law.", and

As amended, do pass.

HALL, Chairman

Report adopted.

February 1, 1974

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 976, respectfully report as follows: That House Bill No. 976 do not pass.

HALL, Chairman

February 1, 1974

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 977, respectfully report as follows: That House Bill No. 977 do not pass.

HALL, Chairman

February 1, 1974

Mr. Speaker: We, your Committee on Rules, having had under consideration House Bill No. 1036, respectfully report as follows: That House Bill No. 1036 do not pass.

FASBENDER, Chairman

February 1, 1974

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 1078, respectfully report as follows: That House Bill No. 1078 do not pass.

HALL, Chairman

February 1, 1974

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 1080, respectfully report as follows: That House Bill No. 1080 be amended on page 1, Section 2, lines 23 and 24 by striking the material: "Notwithstanding any other provision of law, the sentence shall not be subject to suspension by the court.", and

As amended, do pass.

HALL, Chairman

Report adopted.

February 1, 1974

Mr. Speaker: We, your Committee on Taxation, having had under consideration

House Bill No. 1084, respectfully report as follows: That House Bill No. 1084 do pass.

WATT, Chairman

Report adopted.

February 1, 1974

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 505, respectfully report as follows: That Senate Bill No. 505 be concurred in.

HALL, Chairman

Report adopted.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 856 was adopted by the following vote:

Ayes: Aageson, Ainsworth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brown, Burnett, Campbell, Castles, Clemow, Cotton, Cox, Driscoll, East, Edland, Fagg, Fasbender, Fleming, Flynn, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, R. Harper, Healy, Hodges, Holtz, Hubing, Huennekens, Johnston, Jones, Kendall, Kessner, Kolstad, Laas, Lee, Lien, Lombardi, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Menahan, Mercer, Murphy, Olson, Prevost, Quilici, Regan, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Stephens, Stoltz, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 80.

Noes: None.

Excused: Asbjornson, Hall, Kimble. Total 3.

Absent or not voting: Baeth, Brand, Colberg, Ellerd, Forsgren, H. Harper, Holmes, Jacobsen, Kosena, Kvaalen, Lockrem, Lucas, Mehrens, Norman, Roberts, Staigmiller, Swanberg. Total 17.

In accordance with the 24 hour rule, the adverse committee report on House Bill no. 997 was adopted by the following vote:

Ayes: Aageson, Ainsworth, Bardanouve, Barrett, Baucus, Bell, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Ellerd, Fasbender, Fleming, Forsgren, Galt, Glennen, Gunderson, Hageman, Hager, Haines, Halvorson, Healy, Hodges, Holmes, Holtz, Hubing, Jacobsen, Johnston, Jones, Kendall, Kessner, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lundgren, Mann, Manuel, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Rolfe, Schepens, Schye, Selstad, Smith, Stephens, Stoltz, Tierney, Towe, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 75.

Noes: Bradley, Fagg, H. Harper, R. Harper, Huennekens, Marbut, Turman. Total 7.

Excused: Asbjornson, Hall, Kimble. Total 3.

Absent or not voting: Baeth, Bennetts, Brand, Edland, Flynn, Greely, Lund, Lynch, McKittrick, Marks, Roberts, Seifert, Shelden, Staigmiller, Swanberg. Total 15.

In accordance with the 24 hour rule, the adverse committee report on House Resolution No. 38 was adopted by the following vote:

Ayes: Ainsworth, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Fagg, Fasbender, Flynn, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Jacobsen, Johnston, Jones, Kendall, Kessner, Kolstad, Kosena, Kvaalen, Lee, Lien, Lombardi, Lucas, Lundgren, Lynch, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg,

Tierney, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 84.

Noes: Aageson, H. Harper. Total 2.

Excused: Asbjornson, Hall, Kimble. Total 3.

Absent or not voting: Bradley, Ellerd, Fleming, Forsgren, Huennekens, Laas, Lockrem, Lund, McKittrick, Seifert, Towe. Total 11.

In accordance with the 24 hour rule, the adverse committee report on House Joint Resolution No. 71 was adopted by the following vote:

Ayes: Aageson, Ainsworth, Baeth, Bardanouve, Barrett, Baucus, Bell, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, Healy, Hodges, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kolstad, Kosena, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lundgren, Lynch, Mann, Manuel, Marbut, Marks, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmilller, Stephens, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 85.

Noes: Bennetts, Bradley, Cotton, H. Harper, R. Harper, Holmes, Regan, Stoltz. Total 8.

Excused: Asbjornson, Hall, Kimble. Total 3.

Absent or not voting: Kvaalen, Lund, McKittrick, Mehrens. Total 4.

MESSAGES FROM THE OTHER HOUSE

January 31, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bills and Resolutions were this day read three several times, and passed, title and history agreed to, and the bills and resolutions are herewith transmitted to the House for concurrence:

Senate Bill No. 499 introduced by James

Senate Bill No. 506 introduced by Drake, Bennett, and Harrison

Senate Bill No. 516 introduced by Turnage

Senate Bill No. 548 introduced by Lynch

Senate Bill No. 552 introduced by McGowan, Turnage and Sorensen

Senate Bill No. 579 introduced by Zody, Sorensen, et al

Senate Bill No. 599 introduced by Turnage, Mathers, et al

Senate Bill No. 678 introduced by Flynn and Bollinger

Senate Joint Resolution No. 45 introduced by Moore

Senate Joint Resolution No. 49 introduced by Aber, Moritz, et al

Senate Joint Resolution No. 55 introduced by Darrow, Moritz, et al

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

MOTIONS

Halvorson moved that House Bill No. 660 be taken from Second Reading and re-referred to the Committee on State Administration.

Motion carried.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following bills and resolutions were introduced, read first time and referred to committees:

House Bill No. 1107, introduced by Marbut: A bill for an act entitled: "An act to appropriate three hundred fifty-nine thousand five hundred dollars (\$359,500) to the Montana State Council on Developmental Disabilities Services and Facilities from the general fund for the implementation of the Montana Developmental Disabilities Services and Facilities Act of 1974, for the biennium ending June 30, 1975." Referred to Committee on Finance and Claims.

Senate Bill No. 499, introduced by James: A bill for an act entitled: "An act authorizing the Board of Nurses to license registered nurses as midwives, and amending Section 66-1012, R.C.M. 1947." Referred to Committee on Public Health, Welfare and Safety.

Senate Bill No. 506, introduced by Drake, Bennett, Harrison: A bill for an act entitled: "An act amending Section 32-2150.3, R.C.M. 1947, by removing therefrom the requirement that signs indicating the use of radar be posted." Referred to Committee on Highways and Transportation.

Senate Bill No. 516, introduced by Turnage: A bill for an act entitled: "An act amending Section 84-601, R.C.M. 1947, providing that the county attorney shall act as counsel for the Tax Appeal Board of his county." Referred to Committee on Judiciary.

Senate Bill No. 548, introduced by Story, Lynch: A bill for an act entitled: "An act to amend Sections 26-1701, 26-1702, and 26-1705, and to repeal Section 26-1703, R.C.M. 1947, providing for written certification that the importation or source of live or dead salmonid fish or eggs is free of such infectious organisms as the State Fish and Game Commission may specify; eliminating the information required in the certificate, and providing for quarantine of cargoes and vehicles violating these requirements." Referred to Committee on Fish and Game.

Senate Bill No. 552, introduced by McGowan, Turnage, Sorensen: A bill for an act entitled: "An act revising the hearing and appeal procedures of county tax appeal boards and providing for the compensation of members of such boards, and amending Sections 84-601, 84-604, 84-708, and 84-709, R.C.M. 1947." Referred to Committee on Local Government.

Senate Bill No. 579, introduced by Zody, Sorensen, Lowe, Thiessen: A bill for an act entitled: "An act amending Section 93-401, R.C.M. 1947, to authorize the board of county commissioners in every county to constitute as many justice courts as the board of county commissioners deems necessary and to provide for the location of the justice courts." Referred to Committee on Local Government.

Senate Bill No. 599, introduced by Turnage, Mathers, McGowan, Nees: A bill for an act entitled: "An act amending Sections 84-709 and 84-709.1, R.C.M. 1947, clarifying the powers of the State Tax Appeals Board and the procedures involved in appeals before the State Tax Appeals Board." Referred to Committee on Judiciary.

Senate Bill No. 678, introduced by Flynn, Bollinger: A bill for an act entitled: "An act to end county financial participation in federal medical assistance programs and to lower the maximum county levy which may be imposed for support of poor and indigent persons, amending Sections 71-1524, and 71-106, R.C.M. 1947; and repealing Sections 71-1519 and 71-1522, R.C.M. 1947." Referred to Committee on Public Health, Welfare and Safety.

Senate Joint Resolution No. 45, introduced by Moore: A Joint Resolution of the Senate and the House of Representatives of the State of Montana submitting to the qualified electors of the State of Montana an amendment to Article VIII of the Constitution of Montana limiting the rate of taxation on real and personal property for state purposes to two (2) mills on each dollar of valuation. Referred to Committee on Constitution, Elections and Federal Relations.

Senate Joint Resolution No. 49, introduced by Aber, Moritz, McCallum, Devine, Sorensen, Bollinger, Zody, Graham, Goodheart, Klindt, Breeden, Story, Northey, Lowe, Broeder: A Joint Resolution of the Senate and the House of Representatives of the State of Montana submitting to the qualified electors of Montana an amendment to Article II, Section 16, of the Constitution of Montana removing third party suits from workmen's compensation actions. Referred to Committee on Constitution, Elections and Federal Relations.

Senate Joint Resolution No. 55, introduced by Darrow, Moritz, Deschamps, Flynn: A Joint Resolution of the Senate and the House of Representatives of the State of Montana directing the Department of Highways to reevaluate highway reseeding practices and to seek new ways to employ safer and more ecologically sound practices in the future. Referred to Committee on Highways and Transportation.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Fasbender moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading under the rules of the previous sitting.

Motion carried.

Marks in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

February 1, 1974

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That House Bill No. 632 be amended in Section 4, page 7, line 2 after the word: "adopted" by inserting the words: "or not adopted" (49-40), and

Further amend Section 4, page 7, line 3 after the word: "period" by inserting the words: "or ten year period" (74-13), and

Further amend Section 4, Subsection 3, page 8, line 1 by inserting after the word: "governments" the words: "or result in a savings of natural resources for a more beneficial future economic use" (66-21), and

Further amend Section 5, page 9, line 25 by creating a new Section 5 which states as follows: "Section 5. All provisions of this act shall require proper consideration of long term as well as short term economic impacts upon all sectors of the social or economic community", and

Further amend page 9, line 25 by renumbering Section 5 to be Section 6 (83-6), and

As amended, do pass. (54-39)

That House Bill No. 678 do pass. (58-24)

That House Bill No. 721 be amended in Section 3, Subsection 2, page 3, lines 14 through 22 by omitting the following material: "; provided further that in the case of a legislative audit or investigation, where documents are needed to enable a determination of patterns of administrative abuse, and where the merits of individual privacy clearly exceed the merits of public disclosure, the custodian shall stipulate procedures, if any are available, whereby patterns can be reviewed without prejudice to the rights of individual privacy being protected" (71-0), and

Further amend Section 25, page 40, lines 2 through 8 by omitting the following section numbers: "3-1715, 3-1721, 5-705, 5-1012, 7-147, 32-1213, 32-1215, 36-203, 40-3660, 40-5511, 48-139, 50-1221, 60-144, 61-213, 69-4115, 87-124, 94-9824, and 95-2205" and by inserting the word: "and" between the section numbers: "92-809" and "92-1348" (70-0), and

As amended, do pass. (52-35)

That House Bill No. 788 do pass. (85-0)

That House Bill No. 804 do pass. (75-3)
 That House Bill No. 839 do pass. (71-3)
 That House Bill No. 901 do pass. (72-5)
 That House Bill No. 913 do pass. (76-7)
 That House Bill No. 922 do pass. (73-2)
 That House Bill No. 950 do pass. (72-0)
 That House Bill No. 970 do pass. (73-6)
 That House Bill No. 978 be passed for the day.
 That House Bill No. 1019 do pass. (61-13)
 That House Bill No. 1060 do pass. (75-0)
 That House Resolution No. 47 be adopted. (69-15)
 That Senate Amendments to House Bill No. 86 not be concurred in. (80-0)
 That the committee rise and report.

MONTANA LEGISLATIVE COUNCIL
 LIBRARY

MARKS, Chairman

Report adopted.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 77 was passed by the following vote:

Ayes: Aageson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Galt, Glennen, Greely, Gunderson, Hageman, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holtz, Hubing, Huennekens, Johnston, Jones, Kendall, Kessner, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Roberts, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Ulmer, Walborn, Warfield, Yardley, Zimmer, Mr. Speaker. Total 85.

Noes: None.

Excused: Asbjornson, Hall, Kimble. Total 3.

Absent or not voting: Ainsworth, Bennetts, Colberg, Flynn, Forsgren, Hager, Holmes, Jacobsen, Regan, Rolfe, Turner, Watt. Total 12.

House Bill No. 598 was passed by the following vote:

Ayes: Aageson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bradley, Brand, Brown, Campbell, Castles, Clemow, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holtz, Hubing, Jacobsen, Johnston, Jones, Kendall, Kessner, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Shelden, Smith, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Ulmer, Walborn, Warfield, Yardley, Zimmer, Mr. Speaker. Total 86.

Noes: Burnett, Selstad. Total 2.

Excused: Asbjornson, Hall, Kimble. Total 3.

Absent or not voting: Ainsworth, Bennetts, Colberg, Hager, Holmes, Huennekens, Manuel, Turner, Watt. Total 9.

House Bill No. 736 was passed by the following vote:

Ayes: Aageson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Selstad, Shelden, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Ulmer, Walborn, Warfield, Watt, Zimmer, Mr. Speaker. Total 87.

Noes: None.

Excused: Asbjornson, Hall, Kimble. Total 3.

Absent or not voting: Ainsworth, Bennetts, Colberg, Hager, Holmes, Manuel, Seifert, Smith, Turner, Yardley. Total 10.

House Bill No. 737 was passed by the following vote:

Ayes: Aageson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Seifert, Selstad, Shelden, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer. Total 88.

Noes: Schye. Total 1.

Excused: Asbjornson, Hall, Kimble. Total 3.

Absent or not voting: Ainsworth, Bennetts, Colberg, Hager, Holmes, Smith, Turner, Mr. Speaker. Total 8.

House Bill No. 738 was passed by the following vote:

Ayes: Aageson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Seifert, Selstad, Shelden, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer. Total 88.

Noes: Schye. Total 1.

Excused: Asbjornson, Hall, Kimble. Total 3.

Absent or not voting: Ainsworth, Bennetts, Colberg, Hager, Holmes, Smith, Turner, Mr. Speaker. Total 8.

House Bill No. 740 was passed by the following vote:

Ayes: Aageson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Seifert,

Selstad, Shelden, Smith, Staigmilller, Stephens, Stoltz, Swanberg, Towe, Turman, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 89.

Noes: Schye. Total 1.

Excused: Asbjornson, Hall, Kimble. Total 3.

Absent or not voting: Ainsworth, Bennetts, Colberg, Hager, Holmes, Tierney, Turner. Total 7.

House Bill No. 817 was passed by the following vote:

Ayes: Aageson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Hageman, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Staigmilller, Stephens, Stoltz, Swanberg, Towe, Turman, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 88.

Noes: None.

Excused: Asbjornson, Hall, Kimble. Total 3.

Absent or not voting: Ainsworth, Bennetts, Colberg, Gunderson, Hager, Holmes, Smith, Tierney, Turner. Total 9.

House Joint Resolution No. 59 was passed by the following vote:

Ayes: Baeth, Bardanouve, Baucus, Bennetts, Bradley, Brown, Castles, Cotton, Driscoll, Edland, Fagg, Fasbender, Fleming, Galt, Greely, Gunderson, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Huennekens, Jacobsen, Kosena, Kvaalen, Laas, Lee, Lombardi, Lucas, Lund, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Norman, Prevost, Quilici, Regan, Roberts, Schepens, Shelden, Staigmilller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Ulmer, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 59.

Noes: Aageson, Barrett, Bell, Brand, Burnett, Campbell, Clemow, Cox, East, Ellerd, Flynn, Forsgren, Glennen, Hageman, Haines, Holtz, Hubing, Johnston, Jones, Kessner, Kolstad, Lockrem, Lundgren, Mann, Mercer, Olson, Rolfe, Seifert, Selstad, Smith, Walborn. Total 31.

Paired: Bennetts, Holmes, Aye; Lockrem, Mercer, Nay.

Excused: None.

Absent or not voting: Ainsworth, Asbjornson, Colberg, Hager, Hall, Kendall, Kimble, Lien, Schye, Turner. Total 10.

Senate Bill No. 478 was concurred in by the following vote:

Ayes: Aageson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bradley, Brand, Campbell, Castles, Clemow, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holtz, Hubing, Huennekens, Jacobsen, Jones, Kendall, Kessner, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Staigmilller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Ulmer, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 86.

Noes: Burnett. Total 1.

Excused: Asbjornson, Hall, Kimble. Total 3.

Absent or not voting: Ainsworth, Bennetts, Brown, Colberg, Hager, Holmes, Johnston, Smith, Turner, Walborn. Total 10.

Senate Bill No. 483 was concurred in by the following vote:

Ayes: Ageson, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Glennen, Greely, Gunderson, Hageman, Haines, Halvorson, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Jacobsen, Johnston, Jones, Kendall, Kessner, Kolstad, Kosen, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, Mann, Manuel, Mehrens, Menahan, Mercer, Murphy, Norman, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Staigmillier, Stephens, Stoltz, Tierney, Turman, Ulmer, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 79.

Noes: Burnett, Clemow, Galt, H. Harper, Huennekens, McKittrick, Marbut, Olson, Smith, Swanberg, Towe, Walborn. Total 12.

Excused: Asbjornson, Hall, Kimble. Total 3.

Absent or not voting: Ainsworth, Baeth, Colberg, Hager, Marks, Turner. Total 6.

Senate Bill No. 527 was concurred in by the following vote:

Ayes: Ageson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kolstad, Kosen, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Staigmillier, Stephens, Stoltz, Swanberg, Towe, Turman, Ulmer, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 90.

Noes: Smith, Tierney, Walborn. Total 3.

Excused: Asbjornson, Hall, Kimble. Total 3.

Absent or not voting: Ainsworth, Colberg, Hager, Turner. Total 4.

REPORTS OF STANDING COMMITTEES

February 1, 1974

Mr. Speaker: We, your Committee on Labor and Employment Relations, having had under consideration House Bill No. 802, respectfully report as follows: That House Bill No. 802 be amended on page 2, lines 5 and 7, by omitting the parentheses before the word "except" and after the word "duties", and

As amended, do pass.

McKITTRICK, Chairman

Report adopted.

February 1, 1974

Mr. Speaker: We, your Committee on Labor and Employment Relations, having had under consideration House Bill No. 1086, respectfully report as follows: That House Bill No. 1086 be amended on page 2, line 7, after the word "of" by striking the material: "one and 60/100" and inserting in lieu thereof the new material: "one dollar and sixty cents", and

Be further amended on page 2, line 8 after the figures "(\$1.60)" by striking the words "dollars an" and inserting in lieu thereof the word "per", and

Be further amended on page 3, lines 2 and 3 after the word "than" by striking the material: "one and 60/100 (\$1.60) dollars an" and inserting in lieu thereof the new material: "one dollar and sixty cents (\$1.60) per", and

Be further amended on page 6, line 17 after the word "forth" by striking the material: "in section 1 of House Bill No. 001." and inserting in lieu thereof the new material: "as provided by law.", and

As amended, do pass.

McKITTRICK, Chairman

Report adopted.

February 1, 1974

Mr. Speaker: We, your Committee on Labor and Employment Relations, having had under consideration House Bill No. 1091, respectfully report as follows: That House Bill No. 1091 be amended in the title on page 1, line 4 after the word "prohibit" by striking the words "inquiries by", and

Be further amended on page 1, line 15 after the word "employment" by striking the word "will" and inserting in lieu thereof the word "shall", and

Be further amended on page 1, line 22 by striking the period and adding the new material: "or prior to issuance of licenses.", and

As amended, do pass.

McKITTRICK, Chairman

Report adopted.

February 1, 1974

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration House Bill No. 1098, respectfully report as follows: That House Bill No. 1098 do pass.

LOMBARDI, Chairman

Report adopted.

February 1, 1974

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration House Joint Resolution No. 42, respectfully report as follows: That House Joint Resolution No. 42 do pass.

LOMBARDI, Chairman

Report adopted.

February 1, 1974

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration House Joint Resolution No. 48, respectfully report as follows: That House Joint Resolution No. 48 do pass.

LOMBARDI, Chairman

Report adopted.

February 1, 1974

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration House Bill No. 1072, respectfully report as follows: That House Bill No. 1072 do not pass.

LOMBARDI, Chairman

February 1, 1974

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration House Joint Resolution No. 6, respectfully report as follows: That House Joint Resolution No. 6 do not pass.

LOMBARDI, Chairman

MESSAGES FROM THE OTHER HOUSE

February 1, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate on motion duly carried, requests the return of Senate Bill No. 678 for further consideration.

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

MOTIONS

Turman moved that House Bill No. 610 be taken from the Committee on Local Government and placed on Second Reading with House Bill No. 978.

Motion carried.

Lucas moved that the House appoint a Free Conference Committee to meet with a like committee from the Senate on House Bill No. 86.

Motion carried.

Lucas moved that the House accede to the Senate's request and return Senate Bill No. 678 to the Senate.

Motion failed.

Fasbender moved that the following bills were taken from the Committee on Rules and re-referred to the committees listed below:

House Bills Nos. 956 and 934 to Constitution, Elections and Federal Relations; House Bills Nos. 724 and 1,045 to Fish and Game; House Bills Nos. 936 and 1,096 to Local Government; House Bill No. 1,074 to Public Health, Welfare and Safety; and House Bills Nos. 821 and 968 to Agriculture, Livestock and Irrigation.

Motion carried.

Fasbender moved that House Bill No. 846 be taken from the Committee on Highways and Transportation and referred to the Committee on Rules.

Motion carried.

Fasbender moved that the House adjourn until 12:00 p.m., February 2, 1974.

Motion carried.

House adjourned.

HAROLD E. GERKE, Speaker

EDWIN A. SMITH, Chief Clerk

TWENTY-FOURTH LEGISLATIVE DAY

Helena, Montana
February 2, 1974

House Chambers
Capitol Building

House convened at 12:00 noon, Mr. Speaker in the Chair.

Invocation by Representative Hal Harper.

Pledge of Allegiance to the Flag.

Roll call. All members present except Asbjornson, Ainsworth, Hager, Watt, Kvaalen, Haines, Hall and Turner, all excused; Shelden, absent.

Quorum present.

Mr. Speaker: We, your Committee on Bills and Journal, having examined the daily journal for the Twenty-third Legislative Day, find the same to be correct.

QUILICI, Chairman

REPORTS OF STANDING COMMITTEES

February 2, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill correctly engrossed: House Bill No. 699.

FLEMING, Vice-Chairman

February 2, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly printed: House Bill No. 676, House Bill No. 732, House Bill No. 876, House Bill No. 1084.

FLEMING, Vice-Chairman

February 2, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills considered correctly engrossed: House Bill No. 788, House Bill No. 804, House Bill No. 839, House Bill No. 901, House Bill No. 913, House Bill No. 922, House Bill No. 950, House Bill No. 970, House Bill No. 1060, House Bill No. 1019.

FLEMING, Vice-Chairman

February 1, 1974

The following bill was signed in the office of the Speaker of the House of Representatives on February 1, 1974: Senate Bill No. 510.

EDWIN A. SMITH, Chief Clerk
House of Representatives

Objection raised by Schye on adverse committee report on House Bill No. 636. Referred to Second Reading.

February 1, 1974

Mr. Speaker: We, your Committee on Legislative Administration, recommend that the following be employed by the House of Representatives for the Second Regular Session of the Forty-third Legislative Assembly at the beginning of business February 4, 1974:

Robin Emge.....	Page
Robert Pennell.....	Page
Jancee Pust.....	Page
Anita Mackey.....	Page

At the beginning of business February 7, 1974, the following also be employed:

Steven Hempleman.....	Page
Susie Jennings.....	Page
Nancy Morstad.....	Page
Anita Widhalm.....	Page

At the close of business February 2, 1974, the following be terminated:

Kathy Gilbert.....	Page
Ron Grimsrud.....	Page
Jim Lucas.....	Page
Joan Schrammech.....	Page

At the close of business February 6, 1974, the following also be terminated:

Paula Goodman.....	Page
Tom Hallsten.....	Page

Tillie Hume.....	Page
Paula Povilaitia.....	Page

EDLAND, Chairman

Report adopted.

February 1, 1974

Mr. Speaker: We, your Committee on Labor and Employment Relations, having had under consideration House Bill No. 194, respectfully report as follows: That House Bill No. 194 do not pass.

McKITTRICK, Chairman

February 2, 1974

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 819, respectfully report as follows: That House Bill No. 819 do not pass.

GUNDERSON, Chairman

February 2, 1974

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 929, respectfully report as follows: That House Bill No. 929 be amended in the title on page 1, line 9 after the word: "confer" by omitting the following material: ", and providing that a district superintendent or county high school principal may not serve as bargaining agent for either an employer or teachers", and

Be further amended in Section 1, page 2, line 21 after the word: "years." by omitting the material through and including the word: "teachers." on line 25 of page 2, and

As amended, do pass.

GUNDERSON, Chairman

Report adopted.

February 1, 1974

Mr. Speaker: We, your Committee on Labor and Employment Relations, having had under consideration House Bill No. 1093, respectfully report as follows: That House Bill No. 1093 do not pass.

McKITTRICK, Chairman

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 361 was adopted by the following vote:

Ayes: Aageson, Baeth, Bardanoue, Barrett, Bell, Bennetts, Bradley, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Greely, Gunderson, Halvorson, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Laas, Lee, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Seifert, Selstad, Shelden, Smith, Staigmilller, Stephens, Stoltz, Tierney, Towe, Turman, Ulmer, Walborn, Warfield, Yardley, Zimmer, Mr. Speaker. Total 82.

Noes: Glennen, R. Harper. Total 2.

Excused: Ainsworth, Asbjornson, Hager, Haines, Hall, Kvaalen, Turner, Watt. Total 8.

Absent or not voting: Baucus, Brand, Brown, Hageman, H. Harper, Lien, Schye, Swanberg. Total 8.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 618 was adopted by the following vote:

Ayes: Aageson, Baeth, Bardanouve, Barrett, Baucus, Bennetts, Bradley, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Fagg, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Mehrens, Menahan, Mercer, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Ulmer, Walborn, Warfield, Yardley, Zimmer, Mr. Speaker. Total 83.

Noes: None.

Excused: Ainsworth, Asbjornson, Hager, Haines, Hall, Kvaalen, Turner, Watt. Total 8.

Absent or not voting: Bell, Brand, Brown, Burnett, Ellerd, Fasbender, Hageman, Marks, Murphy. Total 9.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 622 was adopted by the following vote:

Ayes: Aageson, Baeth, Bardanouve, Baucus, Bennetts, Bradley, Campbell, Castles, Clemow, Colberg, Cotton, Cox, East, Edland, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kolstad, Kosena, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Ulmer, Walborn, Warfield, Yardley, Zimmer, Mr. Speaker. Total 81.

Noes: Burnett. Total 1.

Excused: Ainsworth, Asbjornson, Hager, Haines, Hall, Kvaalen, Turner, Watt. Total 8.

Absent or not voting: Barrett, Bell, Brand, Brown, Driscoll, Ellerd, Hageman, Kimble, Shelden, Smith. Total 10.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 630 was adopted by the following vote:

Ayes: Aageson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Schepens, Schye, Seifert, Selstad, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Ulmer, Walborn, Warfield, Yardley, Zimmer, Mr. Speaker. Total 84.

Noes: None.

Excused: Ainsworth, Asbjornson, Hager, Haines, Hall, Kvaalen, Turner, Watt. Total 8.

Absent or not voting: Brand, Brown, Burnett, Ellerd, Hageman, Laas, Rolfe, Shelden. Total 8.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 667 was adopted by the following vote:

Ayes: Aageson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley,

Brand, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Fagg, Fasbender, Fleming, Forsgren, Galt, Glennen, Greely, Gunderson, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Smith, Staigmilller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Ulmer, Walborn, Warfield, Yardley, Zimmer, Mr. Speaker. Total 87.

Noes: None.

Excused: Ainsworth, Asbjornson, Hager, Haines, Hall, Kvaalen, Turner, Watt. Total 8.

Absent or not voting: Brown, Ellerd, Flynn, Hageman, Shelden. Total 5.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 976 was adopted by the following vote:

Ayes: Aageson, Baeth, Bardanouve, Barrett, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cox, Driscoll, East, Edland, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kolstad, Kosena, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Smith, Staigmilller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Walborn, Warfield, Yardley, Mr. Speaker. Total 81.

Noes: Gunderson. Total 1.

Excused: Ainsworth, Asbjornson, Hager, Haines, Hall, Kvaalen, Turner, Watt. Total 8.

Absent or not voting: Baucus, Cotton, Ellerd, Hageman, Kimble, Mehrens, Selstad, Shelden, Ulmer, Zimmer. Total 10.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 977 was adopted by the following vote:

Ayes: Aageson, Baeth, Bardanouve, Barrett, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Fagg, Fasbender, Fleming, Flynn, Galt, Glennen, Greely, Gunderson, Halvorson, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Laas, Lee, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Smith, Staigmilller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Ulmer, Walborn, Warfield, Yardley, Zimmer, Mr. Speaker. Total 84.

Noes: None.

Excused: Ainsworth, Asbjornson, Hager, Haines, Hall, Kvaalen, Turner, Watt. Total 8.

Absent or not voting: Baucus, Ellerd, Forsgren, Hageman, H. Harper, Lien, Mehrens, Shelden. Total 8.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 1036 was adopted by the following vote:

Ayes: Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Driscoll, East, Fagg, Fasbender, Fleming, Flynn, Forsgren, Glennen, Greely, Gunderson, Halvorson, R. Harper, Healy, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kimble, Kosena, Laas, Lee, Lockrem, Lombardi, Lucas, Lynch, McKittrick, Mann, Marbut, Mehrens, Menahan, Mercer, Norman, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens,

Schye, Seifert, Shelden, Smith, Staigmilller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Ulmer, Warfield, Yardley, Mr. Speaker. Total 68.

Noes: Aageson, Burnett, Cox, Galt, Hodges, Hubing, Kessner, Kolstad, Lund, Lundgren, Manuel, Marks, Murphy, Olson, Selstad, Walborn, Zimmer. Total 17.

Excused: Ainsworth, Asbjornson, Hager, Haines, Hall, Kvaalen, Turner, Watt. Total 8.

Absent or not voting: Edland, Ellerd, Hageman, H. Harper, Holmes, Holtz, Lien. Total 7.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 1072 was adopted by the following vote:

Ayes: Aageson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, East, Edland, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Halvorson, R. Harper, Healy, Hodges, Holtz, Hubing, Huennekens, Jacobsen, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Smith, Staigmilller, Stephens, Swanberg, Tierney, Towe, Turman, Ulmer, Walborn, Warfield, Zimmer, Mr. Speaker. Total 80.

Noes: None.

Excused: Ainsworth, Asbjornson, Hager, Haines, Hall, Kvaalen, Turner, Watt. Total 8.

Absent or not voting: Brand, Burnett, Driscoll, Ellerd, Hageman, H. Harper, Holmes, Johnston, Lynch, Shelden, Stoltz, Yardley. Total 12.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 1078 was adopted by the following vote:

Ayes: Aageson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Halvorson, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, McKittrick, Mann, Marbut, Marks, Mehrens, Menahan, Mercer, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmilller, Stephens, Swanberg, Tierney, Towe, Turman, Ulmer, Walborn, Warfield, Yardley, Zimmer, Mr. Speaker. Total 84.

Noes: Lynch, Manuel, Murphy. Total 3.

Excused: Ainsworth, Asbjornson, Hager, Haines, Hall, Kvaalen, Turner, Watt. Total 8.

Absent or not voting: Burnett, Ellerd, Hageman, H. Harper, Stoltz. Total 5.

In accordance with the 24 hour rule, the adverse committee report on House Joint Resolution No. 6 was adopted by the following vote:

Ayes: Aageson, Baeth, Barrett, Baucus, Bell, Brown, Burnett, Campbell, Castles, Clemow, Cox, East, Ellerd, Fagg, Fasbender, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Halvorson, Healy, Holtz, Hubing, Jacobsen, Johnston, Jones, Kendall, Kessner, Kolstad, Kosena, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, McKittrick, Mann, Manuel, Marks, Mehrens, Menahan, Mercer, Olson, Prevost, Quilici, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmilller, Stephens, Turman, Ulmer, Walborn, Warfield, Yardley, Mr. Speaker. Total 66.

Noes: Bennetts, Bradley, Brand, Cotton, Edland, R. Harper, Hodges, Holmes, Huennekens, Kimble, Lynch, Marbut, Murphy, Regan, Tierney, Towe. Total 16.

Excused: Ainsworth, Asbjornson, Hager, Haines, Hall, Kvaalen, Turner, Watt. Total 8.

Absent or not voting: Bardanouve, Colberg, Driscoll, Fleming, Hageman, H. Harper, Norman, Stoltz, Swanberg, Zimmer. Total 10.

Objection raised by H. Harper on adverse committee report on House Bill No. 945. Referred to Second Reading.

February 1, 1974

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 693, respectfully report as follows: That House Bill No. 693 be amended on page 5, Section 7, lines 14 through 17 by omitting Subsection (1) in its entirety and renumbering Subsections (2) and (3) as (1) and (2), and

Be further amended on page 6, Section 9, by omitting Section 9 in its entirety and further amend subsequent sections to conform numerically, and

Be further amended on page 7, Section 10, lines 4 and 5, by omitting the words: "subject to the advice of the credit union council", and

Be further amended on page 9, through and including page 10, Section 14 by omitting Section 14 in its entirety and further amend subsequent sections to conform numerically, and

Be further amended on page 10, Section 15, line 18 by inserting the word: "time" before deposits, and

Be further amended following Section 15, page 12, line 8 by adding a new section to read as follows:

"Section. Time deposits defined. As used in this chapter, time deposits mean any deposits other than deposits payable on demand. No reference in this chapter to members' deposits in credit unions may be construed to include deposits payable on demand.", and

Be further amended on page 11, Section 15, Subsection (16), line 19 by inserting after the word: "service(s)" the following material: ", but may not provide checking account services", and

Be further amended on page 12, line 24 by omitting the word: "may" and inserting in lieu thereof the word: "must", and

Be further amended on page 12, Section 17, lines 24 and 25 by omitting the following material: ", but is not necessarily limited to", and

Be further amended on page 25, Section 49, lines 12 and 13 by omitting the following material: "credited to a special reserve fund of the credit union", and inserting in lieu thereof the word: "segregated", and

Be further amended on page 31 through and including page 32, line 21 through and including line 4 by omitting Subsection (7) in its entirety and renumbering Subsection (8) as (7), and

Be further amended on page 34, Section 66, line 23 by omitting the punctuation: "." and inserting in lieu thereof the following material: "; or", and

(3) as a cash reserve for time deposits in the manner and at a rate to be determined by the director.", and

Be further amended on page 43, Section 74, line 3 through and including line 4 by omitting the word: "demand" and inserting in lieu thereof the word: "time", and

Be further amended on page 43, Section 75, lines 5 through and including 9 by omitting the material beginning with the word: "All" and ending with the word: "states" and inserting in lieu thereof the following material: "Any credit union organized under this act shall be exempt from all taxation imposed by this state of any taxing authority within this state; except that all such credit unions shall pay the minimum license fee for carrying on business in the state of Montana as required by Section 84-1501, provided that this exception shall not permit the imposition of any tax in excess of the minimum tax as provided, and any real property and any tangible personal property owned by any such credit union shall be subject to taxation to the same extent as other similar property is taxed.", and

Be further amended on page 43 through and including page 44, Section 78, by omitting Section 78 in its entirety and further amend subsequent sections to conform numerically, and

Be further amended on page 43 through and including page 44, Section 79, by omitting Section 79 in its entirety and further amend subsequent sections to conform numerically, and

Be further amended on page 43, Section 80, line 18 by omitting: "department of education" and inserting in lieu thereof: "state superintendent of public instruction", and

As amended, do pass.

MEHRENS, Chairman

Report adopted.

February 1, 1974

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 792, respectfully report as follows: That House Bill No. 792 do not pass.

MEHRENS, Chairman

February 1, 1974

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 858, respectfully report as follows: That House Bill No. 858 be amended in the title on page 1, line 9 after the year: "1947" by omitting the following material: ", and providing an effective date", and

Be further amended in Section 2, page 2, line 11 after the: "Section 2.", by inserting the following material:

"There is a new section to be numbered Section 66-813.1, R.C.M. 1947, which reads as follows:

66-813.1.", and

Be further amended in Section 2, page 2, line 15 by inserting quotation marks after the word and punctuation: "license.", and

As amended, do pass.

MEHRENS, Chairman

Report adopted.

February 1, 1974

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 880, respectfully report as follows: That House Bill No. 880 do pass.

MEHRENS, Chairman

Report adopted.

MESSAGES FROM THE OTHER HOUSE

February 1, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day read three several times, and passed, title and history agreed to, and the bills are herewith transmitted to the House for concurrence:

Senate Bill No. 484 introduced by Moore

Senate Bill No. 501 introduced by Bertsche

Senate Bill No. 575 introduced by Romney

Senate Bill No. 576 introduced by Romney

Senate Bill No. 711 introduced by Bertsche

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

MOTIONS

Bennetts, having voted on the prevailing side on the previous legislative day on an adverse committee report on House Bill No. 856, moved that the House reconsider its action and that the bill be placed on Second Reading.

Motion carried.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following bills and resolutions were introduced, read first time and referred to committees:

House Resolution No. 51, introduced by Edland, Kolstad: A Resolution of the House of Representatives of the State of Montana requesting the Committee on Priorities to assign to the appropriate standing committee a study concerning the effects of prohibiting and controlling ownership and use of agricultural land in Montana by corporations and other "non-agricultural" entities and to have it report its findings and recommendations to the First Regular Session of the Forty-fourth Legislature. Referred to Committee on Agriculture.

House Resolution No. 52, introduced by House Taxation Committee: A Resolution of the House of Representatives of the State of Montana requesting the Department of Revenue to make a study of factors involved in achieving more uniform treatment of public and private pension, annuity and similar type plans under the Montana income tax laws and in conforming Montana law more closely to federal law in the taxation treatment of such plans, and to recommend possible legislation to the next regular session of the Montana legislature. Referred to Committee on Taxation.

House Resolution No. 53, introduced by Seifert: A Resolution of the House of Representatives of the State of Montana relative to studying the possibility of constructing an area wide sewage treatment system for all the communities surrounding Flathead Lake, requesting the Governor to take certain actions under the Federal Water Quality Act of 1972, requesting the Committee on Priorities to assign the appropriate standing committee to study statutory provisions relative to regional sewage treatment systems, and requesting that the affected units of local government be consulted and participate in such studies. Referred to Committee on Local Government.

House Bill No. 1108, introduced by Gerke, Regan, Colberg, Huennekens, Lockrem, Mercer, Cox, Holmes, Glennen, Towe, Hager, Fagg: A bill for an act entitled: "An act to appropriate funds for remodeling and enlarging the Science Building located at Eastern Montana College for the biennium ending June 30, 1975; and providing for other matters relating to the appropriation." Referred to Committee on Long-Range Building.

Senate Bill No. 484, introduced by Moore: A bill for an act entitled: "An act to amend Sections 59-1402 and 59-1404, R.C.M. 1947, to provide for the submission of salary recommendations prior to each first regular session of the biennium; and to amend Section 59-1401, R.C.M. 1947." Referred to Committee on State Administration.

Senate Bill No. 501, introduced by Bertsche, Harrison: A bill for an act entitled: "An act revising the statutes governing the operation and financial management of cemeteries, and amending Sections 9-111, 9-128, 9-131, 9-132, 9-227, and 9-921, R.C.M. 1947." Referred to Committee on Local Government.

Senate Bill No. 575, introduced by Romney: A bill for an act entitled: "An act to amend Section 82A-1602, R.C.M. 1947, to change the name of the Board of Masseurs to the Board of Massage Therapists." Referred to Committee on State Administration.

Senate Bill No. 576, introduced by Romney: A bill for an act entitled: "An act to amend Section 82A-1602, R.C.M. 1947, to change the name of the Board of Osteopaths to the Board of Osteopathic Physicians." Referred to Committee on State Administration.

Senate Bill No. 711, introduced by Bertsche: A bill for an act entitled: "An act to provide that supervisory employees, management officials and confidential employees shall not be included in bargaining units of public employees; amending Section 59-1602, R.C.M. 1947." Referred to Committee on Labor and Employment Relations.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Fasbender moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading under the rules of the previous sitting.

Motion carried.

Halvorson in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

February 2, 1974

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That House Bill No. 610 do pass. (78-7)

That House Bill No. 978 do pass. (84-1)

That House Bill No. 744 do pass. (87-0)

That House Bill No. 758 be passed for the day.

That House Bill No. 770 do pass. (86-4)

That House Bill No. 796 do pass. (77-7)

That House Bill No. 1002 do pass. (82-2)

That Senate Bill No. 505 be not concurred in. (66-21)

That the committee rise and report.

HALVORSON, Chairman

Report adopted.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 629 was passed by the following vote:

Ayes: Aageson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Clemow, Colberg, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kimble, Kolstad, Kosena, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lynch, McKittrick, Manuel, Marbut, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Schepens, Schye, Seifert, Shelden, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Ulmer, Walborn, Warfield, Yardley, Zimmer, Mr. Speaker. Total 78.

Noes: Burnett, Cox, Holtz, Kessner, Mann, Marks, Mercer, Rolfe, Selstad, Smith. Total 10.

Excused: Ainsworth, Asbjornson, Hager, Haines, Hall, Kvaalen, Turner, Watt. Total 8.

Absent or not voting: Campbell, Castles, Cotton, Lundgren. Total 4.

House Bill No. 649 was passed by the following vote:

Ayes: Ageson, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmillar, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Ulmer, Walborn, Warfield, Yardley, Zimmer, Mr. Speaker. Total 89.

Noes: None.

Excused: Ainsworth, Asbjornson, Hager, Haines, Hall, Kvaalen, Turner, Watt. Total 8.

Absent or not voting: Baeth, Castles, Hubing. Total 3.

House Bill No. 726 was passed by the following vote:

Ayes: Ageson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Halvorson, H. Harper, R. Harper, Healy, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmillar, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Ulmer, Walborn, Warfield, Yardley, Zimmer, Mr. Speaker. Total 90.

Noes: None.

Excused: Ainsworth, Asbjornson, Hager, Haines, Hall, Kvaalen, Turner, Watt. Total 8.

Absent or not voting: Castles, Hodges. Total 2.

House Bill No. 739 was passed by the following vote:

Ayes: Ageson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Halvorson, H. Harper, R. Harper, Healy, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kolstad, Kosena, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmillar, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Ulmer, Walborn, Warfield, Yardley, Zimmer, Mr. Speaker. Total 89.

Noes: None.

Excused: Ainsworth, Asbjornson, Hager, Haines, Hall, Kvaalen, Turner, Watt. Total 8.

Absent or not voting: Castles, Hodges, Kimble. Total 3.

House Bill No. 761 was passed by the following vote:

Ayes: Baeth, Bardanouve, Baucus, Bennetts, Bradley, Brand, Brown, Colberg, Cotton, Driscoll, Edland, Fagg, Fasbender, Fleming, Flynn, Forsgren, Gunderson, Hageman, Halvorson, R. Harper, Healy, Holmes, Huennekens, Jacobsen, Johnston, Kendall, Kimble, Kosena, Laas, Lee, Lien, Lombardi, Lucas, Lynch, McKittrick, Manuel, Marbut, Mehrens, Menahan, Murphy, Norman, Prevost, Quilici, Regan, Roberts, Schepens, Shelden, Staigmilller, Stephens, Stoltz, Swanberg, Towe, Turman, Walborn, Yardley, Zimmer, Mr. Speaker. Total 57.

Noes: Aageson, Barrett, Bell, Burnett, Campbell, Clemow, Cox, East, Ellerd, Galt, Glennen, Greely, H. Harper, Holtz, Hubing, Jones, Kessner, Kolstad, Lockrem, Lund, Lundgren, Mann, Marks, Mercer, Olson, Rolfe, Schye, Seifert, Selstad, Tierney, Ulmer, Warfield. Total 32.

Excused: Ainsworth, Asbjornson, Hager, Haines, Hall, Kvaalen, Turner, Watt. Total 8.

Absent or not voting: Castles, Hodges, Smith. Total 3.

House Bill No. 814 was passed by the following vote:

Ayes: Aageson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Halvorson, H. Harper, R. Harper, Healy, Holmes, Holtz, Hubing, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Staigmilller, Stephens, Stoltz, Swanberg, Turman, Ulmer, Walborn, Warfield, Yardley, Zimmer, Mr. Speaker. Total 84.

Noes: Hodges, Huennekens, Marks, Roberts, Smith, Tierney, Towe. Total 7.

Excused: Ainsworth, Asbjornson, Hager, Haines, Hall, Kvaalen, Turner, Watt. Total 8.

Absent or not voting: Castles. Total 1.

House Bill No. 827 was passed by the following vote:

Ayes: Aageson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brown, Campbell, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Greely, Gunderson, Hageman, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kosena, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmilller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Ulmer, Walborn, Warfield, Yardley, Zimmer, Mr. Speaker. Total 84.

Noes: Brand, Burnett, Glennen, Kolstad, Lund, Mercer, Rolfe. Total 7.

Excused: Ainsworth, Asbjornson, Hager, Haines, Hall, Kvaalen, Turner, Watt. Total 8.

Absent or not voting: Castles. Total 1.

House Bill No. 828 was passed by the following vote:

Ayes: Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brown, Campbell, Clemow, Colberg, Cotton, Cox, Driscoll, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Greely, Gunderson, Hageman, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kimble, Kosena, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Schepens, Schye, Selstad, Shelden, Staigmilller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Ulmer, Warfield, Yardley, Zimmer, Mr. Speaker. Total 77.

Noes: Aageson, Brand, Burnett, Glennen, Kessner, Kolstad, Mann, Mercer, Rolfe, Seifert, Smith, Walborn. Total 12.

Excused: Ainsworth, Asbjornson, Hager, Haines, Hall, Kvaalen, Turner, Watt. Total 8.

Absent or not voting: Castles, East, Galt. Total 3.

House Bill No. 853 was passed by the following vote:

Ayes: Aageson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmilller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Ulmer, Walborn, Warfield, Yardley, Zimmer, Mr. Speaker. Total 90.

Noes: Huennekens. Total 1.

Excused: Ainsworth, Asbjornson, Hager, Haines, Hall, Kvaalen, Turner, Watt. Total 8.

Absent or not voting: Castles. Total 1.

House Bill No. 957 was passed by the following vote:

Ayes: Aageson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmilller, Stephens, Stoltz, Swanberg, Towe, Turman, Ulmer, Walborn, Warfield, Yardley, Zimmer, Mr. Speaker. Total 89.

Noes: McKittrick, Tierney. Total 2.

Excused: Ainsworth, Asbjornson, Hager, Haines, Hall, Kvaalen, Turner, Watt. Total 8.

Absent or not voting: Castles. Total 1.

House Bill No. 1,040 was passed by the following vote:

Ayes: Aageson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmilller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Ulmer, Walborn, Warfield, Yardley, Zimmer, Mr. Speaker. Total 90.

Noes: None.

Excused: Ainsworth, Asbjornson, Hager, Haines, Hall, Kvaalen, Turner, Watt. Total 8.

Absent or not voting: Castles, Holtz. Total 2.

House Bill No. 1,054 was passed by the following vote:

Ayes: Aageson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brown, Burnett, Campbell, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Halvorson, H. Harper, Healy, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kolstad, Kosena, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Walborn, Warfield, Yardley, Zimmer, Mr. Speaker. Total 84.

Noes: Brand, R. Harper, Hodges, Kimble, Staigmiller, Ulmer. Total 6.

Excused: Ainsworth, Asbjornson, Hager, Haines, Hall, Kvaalen, Turner, Watt. Total 8.

Absent or not voting: Castles, Holtz. Total 2.

House Joint Resolution No. 63 was passed by the following vote:

Ayes: Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobson, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Laas, Lee, Lien, Lombardi, Lucas, Lund, Lundgren, Lynch, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Ulmer, Walborn, Warfield, Yardley, Zimmer, Mr. Speaker. Total 85.

Noes: Aageson, Johnston, Lockrem, McKittrick. Total 4.

Excused: Ainsworth, Asbjornson, Hager, Haines, Hall, Kvaalen, Turner, Watt. Total 8.

Absent or not voting: Castles, Clemow, Schye. Total 3.

REPORTS OF STANDING COMMITTEES

February 2, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: House Bill No. 599, House Bill No. 720.

QUILICI, Chairman

February 2, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills and resolutions correctly printed: House Bill No. 965, House Bill No. 1080, House Bill No. 1098, House Joint Resolution No. 42, House Joint Resolution No. 48.

QUILICI, Chairman

February 1, 1974

Mr. Speaker: We, your Committee on Agriculture, Livestock and Irrigation, having had under consideration House Bill No. 617, respectfully report as follows: That House Bill No. 617 be amended on page 1, line 4 by striking the punctuation and figures: ", 3-101.1, 3-102", (to reflect the 1973 update), and

Further amend page 1, line 6 after the figure: "3-227" by inserting the figure: "3-229", (to reflect the 1973 update), and

Further amend page 1, line 7 by striking the figure: "3-233" and inserting in lieu thereof the figure: "3-232", (to reflect the 1973 update), and

Further amend page 1, line 7 by striking the following: "3-301, 3-302, 3-304, 3-306, 3-308," (to reflect the 1973 update), and

Further amend page 1, line 10 by striking the words and figures: "3-805 through

3-815" and inserting in lieu thereof the following: "3-805, 3-809, 3-814", (to reflect the 1973 update), and

Further amend page 1, lines 17 and 18 after the figure: "3-1911" and continuing through the figure and punctuation "3-2024," by striking the material therein in its entirety, (to reflect the 1973 update), and

Further amend page 1, lines 21 and 22 by striking the punctuation and figures: "16-4201, 16-4205, 16-4209," (to reflect the 1973 update), and

Further amend page 1, line 24 after the figure and punctuation: "82-814," by inserting the figure and punctuation: "82-1501," and

Further amend page 3, Section 2, line 18 by striking the word: "Maintain" and inserting in lieu thereof the words: "Have the authority to maintain", and

Further amend page 4, Section 2, line 10 after the word: "without" by inserting the words: "hardship, waste or fraud", and

Further amend page 4, Section 2, line 17 by striking the word: "country" and inserting in lieu thereof the word: "rural", and

Further amend page 6, Section 2, line 3 by striking the word: "farming" and inserting in lieu thereof the word: "agriculture", and

Further amend pages 25 through 28, Section 24, beginning with line 7 on page 25 and continuing through line 24 on page 28 by striking the material therein in its entirety, and by renumbering the subsequent sections accordingly, (to reflect the 1973 update), and

Further amend pages 35 through 39, Section 31, through 34, beginning with line 4 on page 35 and continuing through line 25 on page 39 by striking the material therein in its entirety, and by renumbering the subsequent sections accordingly, (to reflect the 1973 update), and

Further amend page 41, Section 35, after the word and punctuation: "ware-houseman." on line 5 and continuing through the word: "settlement" on line 7 by striking the material therein in its entirety and inserting the following: "A fee commensurate with the cost of each protein test shall be made, to be deducted and paid at the time of final settlement.", (to reflect the 1973 update), and

Further amend pages 52 and 53, Sections 48 and 49, beginning with line 17 on page 52 and continuing through line 22 on page 53 by striking the material therein in its entirety, and by renumbering the subsequent sections accordingly, (to reflect the 1973 update), and

Further amend pages 54 through 56, Sections 51, 52, and 53, beginning with line 16 on page 54 and continuing through line 3 on page 56 by striking the material therein in its entirety, and by renumbering the subsequent sections accordingly, (to reflect the 1973 update), and

Further amend page 57, Section 55, line 12 by striking the word: "flowering", (to reflect the 1973 update), and

Further amend page 57, Section 55, line 15 by striking the word: "ox-eye" and inserting in lieu thereof the word: "oxeye", (to reflect the 1973 update), and

Further amend page 57, Section 55, line 14 by striking the parentheses and phrase: "(Klamath-weed)", (to reflect the 1973 update), and

Further amend page 57, Section 55, line 17 by striking the word: "false", (to reflect the 1973 update), and

Further amend page 57, Section 55, line 21 by striking the word: "Curled" and inserting in lieu thereof the word: "Curly", (to reflect the 1973 update), and

Further amend page 58, Section 55, line 21 by striking the term: "fine-leaf" and inserting in lieu thereof the term: "fine-textured", (to reflect the 1973 update), and

Further amend page 58, Section 55, line 24 by striking the term: "fine-leaf" and inserting in lieu thereof the term: "fine-textured", (to reflect the 1973 update), and

Further amend page 59, Section 55, line 2 by striking the term: "fine-leaf" and inserting in lieu thereof the term: "fine-textured", (to reflect the 1973 update), and

Further amend page 59, Section 55, line 4 by striking the term: "fine-leaf" and inserting in lieu thereof the term: "fine-textured", (to reflect the 1973 update), and

Further amend page 59, Section 55, line 8 by striking the material after the word and punctuation: "compressa)" and continuing through the word and parenthesis: "annua)" and inserting the following: "Annual Bluegrass (*Poa annua*) and Rough Bluegrass (*Poa trivialis*)", (to reflect the 1973 update), and

Further amend page 59, Section 55, line 12 by striking the word: "fine-leaf" and inserting in lieu thereof the word: "fine-textured", (to reflect the 1973 update), and

Further amend page 59, Section 55, line 12 following the word and punctuation: "Ryegrasses." and beginning with a new paragraph by inserting the following:

"(6) The labeling, advertising or other representation subject to this act represents the seed to be certified seed of any class thereof unless:

(a) it has been determined by a seed certifying agency that such seed conformed to standards of purity and identity as to kind, species (and subspecies, if appropriate) or variety; and

(b) that the seed bears an official label issued for such seed by a seed certifying agency certifying that seed is of a specified class and a specified kind, species (and subspecies, if appropriate) or variety.

(7) Is labeled with a variety name for which a U.S. certificate of plant variety protection has been issued or applied for under the provisions of the Plant Variety Protection Act (7 U.S.C. 2321 et. seq.), without the authority of the owner of the variety; or is labeled with a variety name but not certified by an official seed certifying agency when it is a variety for which the certificate or application for 'protection' specifies sale only as a class of certified seed; provided, that seed from a certified lot may be labeled as to variety name when used in a mixture by, or with approval of, the owner of the variety.", (to reflect the 1973 update), and

Further amend page 110, Section 99, line 18 by striking the word: "of", and

Further amend page 111, Section 100, line 2 by striking the word: "agricultural" and inserting in lieu thereof the word: "analytical", and

Further amend page 113, Section 102, line 2 after the word and punctuation: "proper," by inserting the words: "shall publish at least annually", and

Further amend page 113, Section 102, line 4 after the word: "and" by inserting the word "and", and

Further amend page 118, Section 107, line 1 by striking the words: "composition of a lot of", and

Further amend page 119, Section 108, line 25 by striking the word: "council" and inserting in lieu thereof the word: "committee", and

Further amend page 120, Section 108, line 1 by striking the figure "82A-306" and inserting in lieu thereof the figure: "82A-513", and

Further amend page 120, Section 109, line 4 by striking the figure: "82A-306" and inserting in lieu thereof the figure: "82A-513", and

Further amend page 120, Section 109, line 4 by striking the figure: "82A-306" and inserting in lieu thereof the figure "82A-513", and

Further amend page 120, Section 109, line 5 by striking the figure: "82A-306" and inserting in lieu thereof the figure: "82A-513", and

Further amend pages 123 through 143, Sections 113 through 124, beginning with line 20 on page 123 and continuing through line 25 on page 143 by striking the material therein in its entirety and by renumbering subsequent sections accordingly, (to reflect the 1973 update), and

Further amend page 148, following line 12 by inserting the following:

"Section 130A. Section 3-2904, R.C.M. 1947, is amended to read as follows:

'3-2904. Definitions. As used in this act, unless the context [otherwise] requires otherwise:

(1) "Committee" means the [administrative committee hereby established to be known as the] Montana wheat research and marketing committee provided for in section 82A-304;

(2) "Grower" means any landowner personally engaged in growing wheat, a tenant of the landowner personally engaged in growing wheat, or both the owner and the tenant jointly; and includes a person, partnership, association, corporation, co-operative, trust, sharecropper, and any and all other business units, devises, and arrangements;

(3) "First purchaser" means any person, public or private corporation, association, or partnership, buying, accepting for shipment, or otherwise acquiring the property in or to wheat from a grower, and shall include a mortgagee, pledgee, lienor, or other person, public or private, having a claim against the grower, where the actual or constructive possession of such wheat is taken as part payment or in satisfaction of such mortgage, pledge, lien, or claim;

(4) "Commercial channels" means the sale of wheat for any use, when sold to any commercial buyer, dealer, processor, co-operative, or to any person, public or private, who resells any wheat or product produced from wheat; and

(5) "Sale" includes any pledge or mortgage of wheat, after harvest to any person, public or private.", and

Further amend page 154, section 136, after the word "There" on line 3 and continuing through the word "revolving" on line 6 by striking the material therein in its entirety and inserting the following: "shall be an account in the federal and private revenue fund known as the wheat research and marketing", (to reflect the 1973 update), and

Further amend page 154, section 136 by striking the material contained in lines 19 and 20 in its entirety, (to reflect the 1973 update), and

Further amend page 154, section 136, line 21 after the parentheses and figure "(4)" by inserting the parentheses and figure "(3)", (to reflect the 1973 update), and

Further amend pages 157 through 160, section 141 through 143, beginning with line 3, on page 157 and continuing through line 3 on page 160 by striking the material therein in its entirety and by renumbering the subsequent sections accordingly, (to reflect the 1973 update), and

Further amend page 161, Section 144, line 13 after the word and punctuation: "plants," by inserting the word and punctuation: "seed.", (to reflect the 1973 update), and

Further amend page 161, section 144, after line 21 by inserting the following:

"[(c)] (8) "Public utility applicator" means a person applying pesticides to land and structures owned or leased by a public utility." and renumbering the subsequent subsections accordingly, (to reflect the 1973 update), and

Further amend page 186, section 152, line 5 by striking the figure: "3-301" and inserting in lieu thereof the figure: "3-3101", and

Further amend page 186, section 152, line 6, by striking the figure: "3-301" and inserting in lieu thereof the figure: "3-3101", and

Further amend page 186, section 152, after the word: "of" on line 23 and continuing through the word "mellifera" on line 23 by striking the material therein and inserting the following: "the bees in the genus, Apis", (to reflect the 1973 update), and

Further amend page 188, section 153, line 7 after the figure: and punctuation: "3." by inserting the figure: "2.", (to reflect the 1973 update), and

Further amend page 188, section 153, line 21, after the figure and punctuation: "4." by inserting the figure: "3.", (to reflect the 1973 update), and

Further amend page 189, section 153, line 8, by striking the word: "donor" and inserting in lieu thereof the word: "owner", (to reflect the 1973 update), and

Further amend page 189, section 153, line 16 after the figure and punctuation: "5." by inserting the figure: "4.", (to reflect the 1973 update), and

Further amend pages 189 and 190, section 153, after the word: "apiary" on line 16 of page 189 and continuing through line 3 on page 190 by striking the material therein in its entirety and inserting the following: ", hives, equipment or [promise] premise for the presence of disease.", (to reflect the 1973 update), and

Further amend pages 193 and 194, section 154, beginning with line 17 on page 193 and continuing through line 7 on page 194 by striking the material therein in its entirety and inserting the following:

"[8.] (8) Suitable evidence of registration furnished by the department shall be posted in a conspicuous place at or near the location of the colony of honey bees or beehives. If an owner has more than one location, suitable evidence of registration furnished by the department shall be posted at each location.", (to reflect the 1973 update), and

Further amend page 195, section 154, line 5 after the word: "equipment" by inserting the following: "or equipment by reasons of its physical condition or construction cannot be inspected", (to reflect the 1973 update), and

Further amend page 195, section 154, line 15 after the word: "property." by inserting the following: "If the owner or person in charge cannot be located, a registered letter sent to the owner's last address registered with the department is sufficient notice under this section.", (to reflect the 1973 update), and

Further amend page 196, section 155, beginning with line 9 and continuing through line 13 by striking the material therein in its entirety and renumbering the subsequent subsections accordingly, (to reflect the 1973 update), and

Further amend page 197 section 156, line 7 after the word "equipment.", by inserting the following: "or equipment which by reason of its physical condition or construction cannot be inspected.", (to reflect the 1973 update), and

Further amend page 198, Section 157, beginning with line 4 and continuing through line 10 by striking the material therein in its entirety and by inserting the following:

" 1 to 10 colonies of bees	\$2.50
11 to 50 colonies	5.00
51 to 200 colonies	10.00
201 to 300 colonies.....	15.00
301 to 500 colonies.....	20.00
501 to 1000 colonies.....	30.00
1001 to 2000 colonies.....	35.00
2001 to 3000 colonies.....	45.00
3001 to 4000 colonies.....	55.00
4001 to 5000 colonies.....	65.00
5001 colonies and upward	75.00,
(to reflect the 1973 update), and	

Further amend page 198, Section 157, beginning with line 16 and continuing through line 19 by striking the material therein in its entirety, (to reflect the 1973 update), and

Further amend page 199, Section 158, line 10 after the figure: "4." by inserting the figure: "3." (to reflect the 1973 update), and

Further amend page 199, Section 158, after the word: "equipment" on line 19 by inserting the following: "provided in this section", (to reflect the 1973 update, and

Further amend page 206, Section 166, line 3, by striking the word: "com-

missioner" and inserting in lieu thereof the following words: "director of the department", and

Further amend page 230, Section 196, line 2 by striking the punctuation and figures: ", 3-101.1, 3-102", (to reflect the 1973 update), and

Further amend page 230, Section 196, line 6 by striking the figure and punctuation: "3-806," (to reflect the 1973 update), and

Further amend page 203, following line 6 by inserting the following:

"Section 163A. Section 82-1501, R.C.M. 1947, is amended to read as follows:

'82-1501. State board of hail insurance—creation and powers— insurance, how effected. (1) There is [hereby created] a state board of hail insurance of five members consisting of the state treasurer, [and] the [commissioner] director of agriculture, [labor and industry,] who [will be] is secretary of [state] the board, and three other members to be appointed by the governor from [the] names submitted [therefor] by [the duly organized] farmer [societies] organizations having a general membership throughout the state. The governor shall designate one of [said] the appointive members to [serve for three years to] act as chairman of the board [, one to serve for a term of two years, and one to serve for a term of one year]. Whenever the term of any member [shall expire,] expires, either by death, resignation, [or] removal for cause, or expiration of his term of office, the governor shall appoint his successor, and shall also appoint one of the board for chairman in case of a vacancy in that office.

(2) Each appointive member of the board shall be appointed for three years, except where such appointment is made to fill a vacancy on the board, in which event such appointee shall fill out the unexpired term of the member whose place he fills. All members of the board shall be subject to removal for cause by the governor; the [said] board shall hold meetings when necessary and essential for the proper conduct of its business, at the state capitol in the office of the secretary, and is hereby authorized, directed and empowered to make [such] rules [and regulations] as it may from time to time find practical, necessary and beneficial for the [conduct of the department of hail insurance, subject to the provisions] administration of this act. It [shall have full charge of said department as herein provided for; it] shall [prepare] prescribe blank forms for all purposes necessary, proper and incidental to the effective operation and enforcement of this act [, and furnish such forms to all public officers respectively charged with the performance of any official duty in connection therewith]; it shall [prepare] prescribe a special form outlining the purposes, scope and benefits of this act in furnishing protection against loss by hail, at the actual cost of the risk to all taxpayers who may elect to become subject to the provisions of this act, [such] the form to be submitted by the agent of the department of revenue in each county at the time in which the regular assessments of property are made by [such] the agents [made], to each farmer in each county in the state engaged in growing of crops subject to injury or destruction by hail, on which forms each such farmer taxpayer shall signify whether he desires to become subject to the provisions of this act or not.

(3) Every [such] farmer taxpayer who signifies his desire to become subject to the provisions of this act, shall file in the office of the county assessor the [blanks above referred to,] properly filled out form not later than August 15th, and shall be chargeable with the tax on lands growing crops subject to injury or destruction by hail, hereinafter provided for, and shall share in the protection and benefits under the hail insurance provisions of this act. Such application for hail insurance shall be in full force and effect at noon the day following the acceptance of same by the county assessor. Provided, however, that this act shall not be so construed as to empower anyone except the actual owner of the land to make such land subject to the hail tax provided in this act.", and

As amended, do pass.

(Material in brackets denotes cancelled type.)

FLEMING, Chairman

Report adopted.

February 2, 1974

Mr. Speaker: We, your Committee on Agriculture, Livestock and Irrigation, having had under consideration House Bill No. 755, respectfully report as follows: That House Bill No. 755 do pass.

FLEMING, Chairman

Report adopted.

February 2, 1974

Mr. Speaker: We, your Committee on Agriculture, Livestock and Irrigation, having had under consideration House Bill No. 852, respectfully report as follows: That House Bill No. 852 be amended on page 2, Section 1, Subsection (b), line 2 by striking the words and figures: "five cents (5¢)" and inserting in lieu thereof the words and figures: "seven cents (7¢)", and

Further amend on page 2, Section 1, lines 3, 4, 5, and 6 by reinstating the Subsection (c) in its entirety, and

Further amend the reinstated material on page 2, Section 1, Line 3 after the word: "exceed" by striking the words and figures: "five cents (5¢)" and inserting in lieu thereof the following words and figures: "eight cents (8¢)", and

Further amend on page 2, Section 1, line 7 by reinstating the stricken "(d)" and striking the following "(c)", and

Further amend on page 2, Section 1, line 9 by reinstating the stricken material therein, and

Further amend on page 2, Section 1, lines 9, 10, and 11 by striking the underlined material therein, and

Further amend page 2, Section 1, lines 12, 13, 14, and 15 by reinstating Subsection (e) in its entirety, and

Further amend page 2, Section 1, line 15 by striking the words and figures: "fifty cents (50¢)" and inserting in lieu thereof the following: "two dollars and five cents (\$2.05)", and

Further amend page 2, Section 1, line 15 after the word: "bushel" by inserting the following new material: "or any future target price", and

Further amend page 2, Section 1, lines 16, 17, and 18 by reinstating Subsection (f) in its entirety, and

As amended, do pass.

FLEMING, Chairman

Report adopted.

February 2, 1974

Mr. Speaker: We, your Committee on Agriculture, Livestock and Irrigation, having had under consideration House Bill No. 870, respectfully report as follows: That House Bill No. 870 be amended on page 1, Section 1, line 23 following the word: "in" by striking the word: "this", and

Further amend page 1, Section 1, line 23 by inserting after the word: "chapter" the following new material: "2, Title 3, R.C.M. 1947.", and

As amended, do pass.

FLEMING, Chairman

Report adopted.

February 2, 1974

Mr. Speaker: We, your Committee on Agriculture, Livestock and Irrigation, having had under consideration House Bill No. 874, respectfully report as follows: That House Bill No. 874 do not pass.

FLEMING, Chairman

February 2, 1974

Mr. Speaker: We, your Committee on Agriculture, Livestock and Irrigation, having had under consideration House Bill No. 1022, respectfully report as follows: That House Bill No. 1022 do not pass.

FLEMING, Chairman

MESSAGES FROM THE OTHER HOUSE

February 2, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day authorized the President to appoint a Free Conference Committee to meet with a like committee of the House to confer on House Bill No. 86.

The President appointed the following members:

Senator Gilfeather, Chairman

Senator Drake

Senator Boylan

Respectfully yours,

JOHN N. HANSON

Secretary of the Senate

UNFINISHED BUSINESS

The Speaker appointed the following Free Conference Committee on House Bill No. 86: Greely, Chairman; Kosena and Lucas.

Fasbender moved that the House adjourn until 1:30 p.m., February 4, 1974.

Motion carried.

House adjourned.

HAROLD E. GERKE, Speaker

EDWIN A. SMITH, Chief Clerk

TWENTY-FIFTH LEGISLATIVE DAY

Helena, Montana
February 4, 1974House Chambers
Capitol Building

House convened at 1:30 p.m., Mr. Speaker in the Chair.

Invocation by the Chaplain.

Pledge of Allegiance to the Flag.

Roll call. All members present except Hall, Mercer and Kvaalen, all excused; Turner, absent.

Quorum present.

Mr. Speaker: We, your Committee on Bills and Journal, having examined the daily journal for the Twenty-fourth Legislative Day, find the same to be correct.

QUILICI, Chairman

REPORTS OF STANDING COMMITTEES

February 4, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill correctly engrossed: House Bill No. 557.

QUILICI, Chairman

February 4, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills considered correctly engrossed: House Bill No. 610, House Bill No. 678, House Bill No. 744, House Bill No. 770, House Bill No. 796, House Bill No. 978, House Bill No. 1002.

QUILICI, Chairman

February 4, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly printed: House Bill No. 600, House Bill No. 755, House Bill No. 813, House Bill No. 880, House Bill No. 894.

QUILICI, Chairman

February 4, 1974

Mr. Speaker: We, your Committee on Bills, to whom were referred House Bill No. 22 and House Bill No. 592, do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day, at the hour of 8:15 o'clock, A.M., delivered to the Governor for his approval.

QUILICI, Chairman

Objection raised by Gunderson on adverse committee report on House Bill No. 874. Referred to Second Reading.

Objection raised by Burnett on adverse committee report on House Bill No. 1093. Referred to Second Reading.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 194 was adopted by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brown, Burnett, Campbell, Castles, Clemow, Cotton, Driscoll, East, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Glennen, Gunderson, Hageman, Hager, Halvorson, Healy, Hodges, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Kendall, Kessner, Kimble, Kolstad, Kosena, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, McKittrick, Mann, Manuel, Marks, Mehrens, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Selstad, Shelden, Smith, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Ulmer, Walborn, Watt, Zimmer, Mr. Speaker. Total 77.

Noes: Brand, Greely, H. Harper, R. Harper, Holmes, Jones, Marbut, Menahan, Murphy, Warfield, Yardley. Total 11.

Excused: Hall, Kvaalen, Mercer. Total 3.

Absent or not voting: Colberg, Cox, Edland, Galt, Haines, Laas, Lynch, Seifert, Turner. Total 9.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 792 was adopted by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Barrett, Baucus, Bell, Bennetts, Brown, Burnett, Campbell, Castles, Clemow, Cotton, East, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Glennen, Hageman, Hager, Halvorson, Healy, Hodges, Holtz, Hubing, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, McKittrick, Mann, Manuel, Marks, Mehrens, Norman, Olson, Prevost, Quilici, Roberts, Rolfe, Schepens, Schye, Selstad, Smith, Stephens, Stoltz, Swanberg, Tierney, Ulmer, Walborn, Warfield, Watt, Mr. Speaker. Total 67.

Noes: Baeth, Bardanouve, Bradley, Brand, Colberg, Driscoll, Greely, Gunderson, H. Harper, R. Harper, Holmes, Huennekens, Marbut, Menahan, Murphy, Regan, Shelden, Staigmillier, Towe, Turman, Yardley, Zimmer. Total 22.

Excused: Hall, Kvaalen, Mercer. Total 3.

Absent or not voting: Cox, Edland, Galt, Haines, Laas, Lynch, Seifert, Turner. Total 8.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 819 was adopted by the following vote:

Ayes: Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Driscoll, East, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Glennen, Greeley, Gunderson, Hageman, Hager, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kessner, Kimble, Kosena, Lee, Lien, Lockrem, Lombardi, Lucas, Lundgren, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Norman, Prevost, Quilici, Regan, Schepens, Seifert, Selstad, Shelden, Smith, Staigmilller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Ulmer, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 79.

Noes: Aageson, Burnett, Galt, Kolstad, Laas, Lund, Murphy, Olson, Rolfe, Walborn. Total 10.

Excused: Hall, Kvaalen, Mercer. Total 3.

Absent or not voting: Cox, Edland, Haines, Kendall, Lynch, Roberts, Schye, Turner. Total 8.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 1022 was adopted by the following vote:

Ayes: Ainsworth, Baeth, Bardanouve, Baucus, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Driscoll, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Glennen, Greeley, Gunderson, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kimble, Kosena, Lee, Lien, Lockrem, Lombardi, Lucas, McKittrick, Mann, Marbut, Mehrens, Menahan, Norman, Prevost, Quilici, Regan, Roberts, Schepens, Schye, Seifert, Shelden, Staigmilller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Ulmer, Watt, Yardley, Mr. Speaker. Total 64.

Noes: Aageson, Asbjornson, Barrett, Bell, Burnett, East, Galt, Hageman, Hager, Holtz, Hubing, Kessner, Kolstad, Laas, Lund, Manuel, Marks, Murphy, Olson, Rolfe, Selstad, Smith, Walborn, Warfield, Zimmer. Total 25.

Excused: Hall, Kvaalen, Mercer. Total 3.

Absent or not voting: Bennetts, Bradley, Cox, Edland, Haines, Lundgren, Lynch, Turner. Total 8.

MESSAGES FROM THE OTHER HOUSE

February 2, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day read three several times, and passed, title and history agreed to, and the bills are herewith transmitted to the House for concurrence:

Senate Bill No. 524 introduced by Hall, Bertsche, et al

Senate Bill No. 537 introduced by Drake and Goodheart

Senate Bill No. 587 introduced by Boylan, Breeden, et al

Senate Bill No. 607 introduced by James and Himsel

Senate Bill No. 609 introduced by Hazelbaker

Respectfully yours,

JOHN N. HANSON

Secretary of the Senate

February 2, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was this day read three times and concurred in, title and history agreed to, and the said bill is herewith returned to the House:

House Bill No. 845 introduced by Quilici, Menahan and Flynn

Respectfully yours,

JOHN N. HANSON

Secretary of the Senate

February 2, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was this day read three times and concurred in as amended, title and history agreed to, and the said bill is herewith returned to the House for concurrence in Senate amendments:

House Bill No. 715 introduced by Brand, et al

Respectfully yours,

JOHN N. HANSON

Secretary of the Senate

MOTIONS

Fasbender moved that House Bills Nos. 733 and 897 be taken from the Committee on Education and referred to the Committee on Rules.

Motion carried.

Holtz, having voted on the prevailing side on the previous legislative day on an adverse committee report on House Bill No. 1036, moved that the House reconsider its action and that the bill be placed on Second Reading.

Motion carried.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following bills were introduced, read first time and referred to committees:

Senate Bill No. 524, introduced by Hall, Bertsche, Rosell, Moore: A bill for an act entitled: "An act to govern, control and prevent the sale, offering for sale, barter or giving away of baby chickens, ducklings, or other fowl, under three (3) weeks of age, or rabbits under two (2) months of age, as pets, toys, premiums or novelties." Referred to Committee on Business and Industry.

Senate Bill No. 537, introduced by Drake, Goodheart: A bill for an act entitled: "An act requiring that any law requiring local government to administer any program or provide any service include a method of financing such program or service." Referred to Committee on Local Government.

Senate Bill No. 587, introduced by Boylan, Breeden, Aber, Nees, Zody, Thiessen, Broeder: A bill for an act entitled: "An act limiting the fee to be paid by municipally operated utilities for the support of the Consumer Counsel to six-tenths of one percent (.6 of 1%) of gross operating revenue; and amending Section 70-709, R.C.M. 1947." Referred to Committee on State Administration.

Senate Bill No. 607, introduced by James, Himsl: A bill for an act entitled: "An act to amend Section 16-2420, R.C.M. 1947, to require the Boards of County Commissioners to designate class of county annually." Referred to Committee on Local Government.

Senate Bill No. 609, introduced by Hazelbaker: A bill for an act entitled: "An act changing the time limits for listing initiative and referendum measures on the ballot and for printing and distributing pamphlet copies of such measures, and amending Sections 37-104.1, 37-105, and 37-107, R.C.M. 1947." Referred to Committee on Constitution, Elections and Federal Relations.

SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)

Fasbender moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading under the rules of the previous sitting.

Motion carried.

Rolfe in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

February 4, 1974

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That House Bill No. 636 be passed for the day.

That House Bill No. 676 do not pass. (54-40)

That House Bill No. 732 do pass. (71-14)

Lucas excused at this time.

That House Bill No. 758 do not pass. (54-33)

That House Bill No. 856 be amended in Section 1, page 2, line 5 of the introduced bill after the word: "designate" and before the word: "except" by inserting the following new material: "if the day so designated is also a legal holiday for federal employees," (74-5), and

As amended, do not pass. (48-45)

That House Bill No. 876 do not pass. (46-45)

That House Bill No. 945 be amended in Section 2, page 1, line 21 after the word: "value" by adding the following words and punctuation: "in connection with any gambling game." (78-1), and

As amended, do pass. (49-43)

That House Bill No. 965 be amended in the title, on page 1, line 7 following the word: "applicable" by inserting the word: "local" and further amend on page 1, line 8 following the word: "proceedings" by inserting the words: "by non-governmental entities" (77-0), and

As amended, do pass. (67-20)

That House Bill No. 1080 do pass. (76-11)

That House Bill No. 1084 do pass. (63-24)

That House Bill No. 1098 do pass. (69-14)

That House Joint Resolution No. 42 be amended on page 2, line 2 by striking the word: "abolition" and inserting in lieu thereof the word: "expansion" (83-0), and

Further amend page 2, line 3 by striking the first "and" and inserting in lieu thereof the word: "for" (82-0), and

Further amend on page 2, lines 8, 9 and 10 by striking the material after the word: "rail" on line 8 to the comma on line 10 (79-1), and

As amended, do pass. (86-0)

That House Joint Resolution No. 48 do not pass. (52-40)

That the committee rise and report.

ROLFE, Chairman

As a substitute motion, Lynch moved that House Bill No. 856 be segregated from the Committee of the Whole report, and as amended, the report be adopted.

Motion carried.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

That House Bill No. 599 was passed by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Laas, Lee, Lien, Lockrem, Lombardi, Lund, Lundgren, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Quilici, Regan, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Turman, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 91.

Noes: None.

Excused: Hall, Kvaalen, Lucas, Mercer. Total 4.

Absent or not voting: Ainsworth, Lynch, Roberts, Towe, Turner. Total 5.

That House Bill No. 699 was passed by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Colberg, Cotton, Cox, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Kendall, Kessner, Kimble, Kolstad, Laas, Lee, Lien, Lockrem, Lombardi, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Turman, Ulmer, Warfield, Watt, Zimmer, Mr. Speaker. Total 81.

Noes: Bardanouve, Burnett, Clemow, Driscoll, Flynn, Jones, Kosena, Selstad, Shelden, Smith, Walborn, Yardley. Total 12.

Excused: Hall, Kvaalen, Lucas, Mercer. Total 4.

Absent or not voting: Ainsworth, Towe, Turner. Total 3.

That House Bill No. 720 failed to pass by the following vote:

Ayes: Baeth, Bardanouve, Baucus, Bennetts, Bradley, Brand, Cotton, Driscoll, Fagg, Fleming, Greely, Gunderson, Hageman, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Huennekens, Johnston, Kendall, Kimble, Laas, Lee, Lombardi, Lynch, Manuel, Marbut, Murphy, Norman, Quilici, Regan, Roberts, Shelden, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Watt, Yardley, Zimmer, Mr. Speaker. Total 46.

Noes: Aageson, Asbjornson, Barrett, Bell, Brown, Burnett, Campbell, Castles, Clemow, Cox, East, Edland, Ellerd, Fasbender, Flynn, Forsgren, Galt, Glennen, Hager, Haines, Holtz, Hubing, Jacobsen, Jones, Kessner, Kolstad, Kosena, Kvaalen, Lien, Lockrem, Lucas, Lund, Lundgren, McKittrick, Mann, Marks, Mehrens, Menahan, Mercer, Olson, Prevost, Rolfe, Schepens, Schye, Seifert, Selstad, Smith, Turner, Ulmer, Walborn, Warfield. Total 51.

Excused: Hall. Total 1.

Paired: Greely, Holmes, Regan, Towe, aye; Kvaalen, Lucas, Mercer, Turner, nay.

Absent or not voting: Ainsworth, Colberg. Total 2.

That House Bill No. 788 was passed by the following vote:

Ayes: Ageson, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Laas, Lee, Lien, Lockrem, Lombardi, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Regan, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmillar, Stephens, Stoltz, Swanberg, Tierney, Turman, Ulmer, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 87.

Noes: Haines. Total 1.

Excused: Hall, Kvaalen, Lucas, Mercer. Total 4.

Absent or not voting: Ainsworth, Colberg, Kosena, Quilici, Roberts, Towe, Turner, Walborn. Total 8.

That House Bill No. 804 was passed by the following vote:

Ayes: Ageson, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bradley, Brand, Brown, Campbell, Castles, Clemow, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Hageman, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Laas, Lee, Lien, Lockrem, Lombardi, Lund, Lundgren, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Quilici, Regan, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Staigmillar, Stephens, Stoltz, Swanberg, Tierney, Turman, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 85.

Noes: Burnett, Gunderson, Hager. Total 3.

Excused: Hall, Kvaalen, Lucas, Mercer. Total 4.

Absent or not voting: Ainsworth, Bennetts, Colberg, Lynch, Roberts, Smith, Towe, Turner. Total 7.

That House Bill No. 839 was passed by the following vote:

Ayes: Ageson, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Huennekens, Johnston, Jones, Kendall, Kessner, Kimble, Kosena, Laas, Lee, Lombardi, Lund, Lynch, McKittrick, Manuel, Marbut, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Quilici, Regan, Rolfe, Schepens, Schye, Seifert, Shelden, Smith, Staigmillar, Stephens, Stoltz, Swanberg, Tierney, Turman, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 79.

Noes: Bell, Burnett, East, Galt, Hubing, Jacobsen, Kolstad, Lien, Lockrem, Mann, Marks, Selstad. Total 12.

Excused: Hall, Kvaalen, Lucas, Mercer. Total 4.

Absent or not voting: Ainsworth, Lundgren, Roberts, Towe, Turner. Total 5.

That House Bill No. 901 was passed by the following vote:

Ayes: Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Holmes,

Hubing, Huennekens, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Laas, Lee, Lien, Lockrem, Lombardi, Lund, Lundgren, Lynch, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Selstad, Shelden, Stephens, Stoltz, Turman, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 79.

Noes: Aageson, Edland, Gunderson, Hodges, Holtz, Jacobsen, McKittrick, Mann, Seifert, Smith, Staigmilller, Swanberg, Tierney, Ulmer. Total 14.

Excused: Hall, Kvaalen, Lucas, Mercer. Total 4.

Absent or not voting: Ainsworth, Towe, Turner. Total 3.

That House Bill No. 913 was passed by the following vote:

Ayes: Aageson, Asbjørnson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Laas, Lee, Lien, Lombardi, Lund, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmilller, Stephens, Stoltz, Swanberg, Tierney, Turman, Walborn, Warfield, Watt, Zimmer, Mr. Speaker. Total 86.

Noes: Cox, Driscoll, Glennen, Lockrem, Lundgren, Ulmer, Yardley. Total 7.

Excused: Hall, Kvaalen, Lucas, Mercer. Total 4.

Absent or not voting: Ainsworth, Towe, Turner. Total 3.

That House Bill No. 922 was passed by the following vote:

Ayes: Baeth, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kosena, Laas, Lee, Lien, Lombardi, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Norman, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Seifert, Selstad, Shelden, Staigmilller, Stephens, Stoltz, Swanberg, Tierney, Turman, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 84.

Noes: Aageson, Asbjørnson, Kolstad, Lockrem, Schye, Smith, Ulmer. Total 7.

Excused: Hall, Kvaalen, Lucas, Mercer. Total 4.

Absent or not voting: Ainsworth, Bardanouve, Olson, Towe, Turner. Total 5.

That House Bill No. 950 was passed by the following vote:

Ayes: Aageson, Asbjørnson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Laas, Lee, Lien, Lockrem, Lombardi, Lund, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmilller, Stephens, Stoltz, Swanberg, Tierney, Turman, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 92.

Noes: None.

Excused: Hall, Kvaalen, Lucas, Mercer. Total 4.

Absent or not voting: Ainsworth, Lundgren, Towe, Turner. Total 4.

That House Bill No. 970 was passed by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, Edland, Ellerd, Fagg, Fleming, Flynn, Forsgren, Galt, Glennen, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Huennekens, Jacobsen, Johnston, Jones, Kessner, Kimble, Kolstad, Kosena, Laas, Lee, Lien, Lockrem, Lombardi, Lund, Lynch, McKittrick, Mann, Manuel, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Shelden, Staigmler, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Ulmer, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 81.

Noes: Bardanouve, Burnett, East, Fasbender, Greely, Hubing, Kendall, Marbut, Marks, Selstad, Smith, Walborn. Total 12.

Paired: Towe, aye; Fasbender, nay.

Excused: Hall, Kvaalen, Lucas, Mercer. Total 4.

Absent or not voting: Ainsworth, Lundgren, Turner. Total 3.

That House Bill No. 1019 was passed by the following vote:

Ayes: Aageson, Baeth, Bardanouve, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Driscoll, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Greely, Gunderson, Hageman, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kimble, Kolstad, Kosena, Laas, Lee, Lien, Lombardi, Lund, Lundgren, McKittrick, Mann, Manuel, Marbut, Mehrens, Murphy, Norman, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Shelden, Staigmler, Stephens, Stoltz, Swanberg, Tierney, Turman, Ulmer, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 73.

Noes: Asbjornson, Barrett, Burnett, Cox, East, Glennen, Hager, Haines, Holtz, Hubing, Kessner, Lockrem, Marks, Olson, Selstad, Smith, Walborn. Total 17.

Excused: Hall, Kvaalen, Lucas, Mercer. Total 4.

Absent or not voting: Ainsworth, Galt, Lynch, Menahan, Towe, Turner. Total 6.

That House Bill No. 1060 was passed by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Holtz, Hubing, Jacobsen, Johnston, Jones, Kendall, Kessner, Kolstad, Kosena, Laas, Lee, Lien, Lockrem, Lombardi, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marks, Mehrens, Menahan, Murphy, Olson, Prevost, Quilici, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmler, Stephens, Stoltz, Swanberg, Tierney, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 82.

Noes: Bennetts, Colberg, Hodges, Holmes, Huennekens, Kimble, Marbut, Norman, Regan, Roberts, Towe, Turman. Total 12.

Paired: Yardley, aye; Towe, nay.

Excused: Hall, Kvaalen, Lucas, Mercer. Total 4.

Absent or not voting: Ainsworth, Turner. Total 2.

REPORTS OF STANDING COMMITTEES

February 4, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly printed: House Bill No. 802, House Bill No. 870, House Bill No. 886, House Bill No. 929, House Bill No. 1091.

QUILICI, Chairman

February 4, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill correctly engrossed: House Bill No. 721.

QUILICI, Chairman

February 4, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill considered correctly engrossed: House Bill No. 732.

QUILICI, Chairman

February 4, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill correctly printed: House Bill No. 858.

QUILICI, Chairman

February 4, 1974

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 173, respectfully report as follows: That House Bill No. 173 do not pass.

MEHRENS, Chairman

February 4, 1974

Mr. Speaker: We, your Committee on Local Government, having had under consideration House Bill No. 774, respectfully report as follows: That House Bill No. 774 be amended on page 2 of the introduced bill, line 22 after the word: "members" by inserting the words: "and shall be paid compensation as provided by law for interim standing committees.", and

As amended, do pass.

KOSENA, Chairman

Report adopted.

February 4, 1974

Mr. Speaker: We, your Committee on Local Government, having had under consideration House Bill No. 847, respectfully report as follows: That House Bill No. 847 do not pass.

KOSENA, Chairman

February 4, 1974

Mr. Speaker: We, your Committee on Rules, having had under consideration House Bill No. 862, respectfully report as follows: That House Bill No. 862 is substantially the same as Senate Bill No. 299 in its amendatory language of Section 84-301, R.C.M. 1947. Since both bills were generally designed to accomplish the same purpose, we, therefore, rule that House Bill No. 862 is improperly introduced under Joint Rule 6-8 and cannot be considered during this session.

FASBENDER, Chairman

Report adopted.

February 4, 1974

Mr. Speaker: We, your Committee on Labor and Employment Relations, having had under consideration House Bill No. 878, respectfully report as follows: That House Bill No. 878 be amended on page 2, Section 1, line 9 after the word: "days" by inserting the following new material: "only for the road and bridge department employees when a majority of those employees and employer have agreed upon those hours", and

As amended, do not pass.

McKITTRICK, Chairman

February 4, 1974

Mr. Speaker: We, your Committee on Rules, having had under consideration House Bill No. 902, respectfully report as follows: That House Bill No. 902 which amends Sections 23-3308 and 23-3511, R.C.M. 1947, by deleting reference to a rotation system of ordering candidate's names on the ballots and replacing it with a system based on drawings by lot is substantially the same as House Bill No. 475 which was killed in the last session; we, therefore, rule that House Bill No. 902 is improperly introduced under Joint Rule 6-8 and, therefore, cannot be considered during this session.

FASBENDER, Chairman

Report adopted.

February 4, 1974

Mr. Speaker: We, your Committee on Local Government, having had under consideration House Bill No. 927, respectfully report as follows: That House Bill No. 927 do pass.

KOSENA, Chairman

Report adopted.

February 4, 1974

Mr. Speaker: We, your Committee on Local Government, having had under consideration House Bill No. 942, respectfully report as follows: That House Bill No. 942 do pass.

KOSENA, Chairman

Report adopted.

February 4, 1974

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration House Bill No. 947, respectfully report as follows: That House Bill No. 947 do pass.

GREELY, Vice-Chairman

Report adopted.

February 4, 1974

Mr. Speaker: We, your Committee on Local Government, having had under consideration House Bill No. 954, respectfully report as follows: That House Bill No. 954 do pass.

KOSENA, Chairman

Report adopted.

February 4, 1974

Mr. Speaker: We, your Committee on Local Government, having had under consideration House Bill No. 966, respectfully report as follows: That House Bill No. 966 be amended in Section 1, line 15 by striking the words: "outside corporate limits", and

Be further amended in Section 1, lines 18 and 19 by striking the following words: "outside of the corporate limits of any city or town", and

As amended, do pass.

KOSENA, Chairman

Report adopted.

February 4, 1974

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration House Bill No. 983, respectfully report as follows: That House Bill No. 983 do not pass.

GREELY, Vice-Chairman

February 4, 1974

Mr. Speaker: We, your Committee on Labor and Employment Relations, having had under consideration House Bill No. 1059, respectfully report as follows: That House Bill No. 1059 do not pass.

McKITTRICK, Chairman

February 4, 1974

Mr. Speaker: We, your Committee on Local Government, having had under consideration House Bill No. 1083, respectfully report as follows: That House Bill No. 1083 be amended in lines 5 and 6 by striking the words: "support of county", and

Be further amended in line 6 by striking the word: "committees" and inserting in lieu thereof the word: "purposes", and

Be further amended in line 10 by striking the word: "county", and

Be further amended in line 10 by striking the word: "committees" and inserting in lieu thereof the word: "purposes", and

Be further amended in line 12 by striking the words: "authorize the expenditure of and appropriate" and insert in lieu thereof the words: "appropriate and expend", and

Be further amended in lines 12 and 13 by striking the words: "the support of a county", and

Be further amended in line 13 by striking the word: "committees" and inserting in lieu thereof the word: "purposes", and

As amended, do pass.

KOSENSA, Chairman

Report adopted.

February 4, 1974

Mr. Speaker: We, your Committee on Labor and Employment Relations, having had under consideration House Bill No. 1095, respectfully report as follows: That House Bill No. 1095 be amended in the title on page 1, line 9 after the word: "reduced" by omitting the word: "and" and inserting in lieu thereof the words and punctuation: "or increased," and

Be further amended in the title on page 1, line 10 after the word: "authority" by adding the following new language and punctuation: "; and providing for payment of increased costs to the contractor by the contracting authority", and

Be further amended on page 3, Section 1, line 7 after the word: "reduced" by adding the words "or increased", and

Be further amended on page 3, Section 1, line 12 after the word: "reduced" by adding the words: "or increased", and

Be further amended on page 3, Section 1, line 16 after the period by adding the following new sentence: "Any sums of money that the contractor shall be required to pay because of an increase in the standard prevailing rate of wages shall be reimbursed to the contractor by the contracting authority.", and

As amended, do pass.

McKITTRICK, Chairman

Report adopted.

February 4, 1974

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration House Joint Resolution No. 52, respectfully report as follows: That House Joint Resolution No. 52 do pass.

GREELY, Vice-Chairman

Report adopted.

February 4, 1974

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration House Joint Resolution No. 56, respectfully report as follows: That House Joint Resolution No. 56 be amended in the title of the introduced bill, line 6 after the word: "law" by inserting the words: "during the winter months", and

Be further amended on page 2, line 1 after the word: "law" by inserting the words: "during the winter months", and

Be further amended on page 2, line 4 after the word: "time" by inserting the words: "from the first Sunday of November to the first Sunday of March", and

Be further amended on page 2, line 3 by striking the word: "exempt" and inserting in lieu thereof the words: "seek exemption for", and

As amended, do pass.

GREELY, Vice-Chairman

Report adopted.

February 4, 1974

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration Senate Joint Resolution No. 50, respectfully report as follows: That Senate Joint Resolution No. 50 do pass.

MEHRENS, Chairman

Report adopted.

MOTIONS

Ulmer moved that House Bill No. 856 be held on Second Reading until such time as the Speaker has had an opportunity to obtain a fiscal note.

Motion carried.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following resolution was introduced, read first time and referred to committee:

House Resolution No. 54, introduced by Greely, Lombardi: A Resolution of the House of Representatives of the State of Montana transmitting recommendations to the Districting and Apportionment Commission regarding its plan as required by Article V, Section 14, of the Montana Constitution. Referred to Committee on Constitution, Elections and Federal Relations.

Fasbender moved that the rules be suspended and that House Resolution No. 54 be placed on Second Reading for consideration tomorrow.

Motion carried.

Fasbender moved that the House adjourn until 1:30 p.m., February 5, 1974.

Motion carried.

House adjourned.

HAROLD E. GERKE, Speaker

EDWIN A. SMITH, Chief Clerk

TWENTY-SIXTH LEGISLATIVE DAY

Helena, Montana
February 5, 1974

House Chambers
Capitol Building

House convened at 1:30 p.m., Mr. Speaker in the Chair.

Invocation by Monida Vaughn.

Pledge of Allegiance to the Flag.

Roll call. All members present except Hall, Marks, Mercer, Kvaalen, Lucas, Prevost, Schepens, Ulmer and Warfield, all excused.

Quorum present.

Mr. Speaker: We, your Committee on Bills and Journal, having examined the daily journal for the Twenty-fifth Legislative Day, find the same to be correct.

QUILICI, Chairman

REPORTS OF STANDING COMMITTEES

February 5, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill correctly engrossed: House Bill No. 632.

QUILICI, Chairman

February 5, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills and resolution correctly printed: House Joint Resolution No. 52, House Bill No. 927, House Bill No. 942, House Bill No. 947, House Bill No. 954, House Bill No. 1086.

QUILICI, Chairman

February 5, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills considered correctly engrossed: House Bill No. 1080, House Bill No. 1084, House Bill No. 1098.

QUILICI, Chairman

February 5, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill and resolution correctly enrolled: House Resolution No. 47, House Bill No. 845.

QUILICI, Chairman

February 5, 1974

I have examined House Resolution No. 47 introduced by me and find the same to be correct.

KENDALL

February 5, 1974

I have examined House Bill No. 845 introduced by me and find the same to be correct.

QUILICI

February 5, 1974

The following bill and resolution will be signed at adjournment on February 5, 1974, in the office of the Speaker of the House of Representatives: House Resolution No. 47, House Bill No. 845.

EDWIN A. SMITH, Chief Clerk
House of Representatives

February 5, 1974

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 594, respectfully report as follows: That House Bill No. 594 do not pass.

YARDLEY, Vice-Chairman

February 5, 1974

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 784, respectfully report as follows: That House Bill No. 784 do not pass.

YARDLEY, Vice-Chairman

MESSAGES FROM THE OTHER HOUSE

February 4, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bills and Resolution were this day read three several times, and passed, title and history agreed to, and the bills and resolution are herewith transmitted to the House for concurrence:

Senate Bill No. 504 introduced by Drake, Bennett, and Vainio

Senate Bill No. 525 introduced by Hall, Devine, and Lowe

Senate Joint Resolution No. 61 introduced by Bertsche, Lynch, et al

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

MOTIONS

Marbut moved that House Bill No. 592 be called back from the Office of the Governor for the purpose of making amendments and the bill be placed on Second Reading.

Motion carried.

Bennetts moved that House Bill No. 1091 be taken from Second Reading and be re-referred to the Committee on Labor and Employment Relations.

Motion carried.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following bills were introduced, read first time and referred to committees:

House Bill No. 1109, introduced by Watt, Baucus, Norman, Kimble: A bill for an act entitled: "An act appropriating one hundred eighty-two thousand four hundred dollars (\$182,400) from the long-range building fund to the Department of Administration for the planning and construction of a Montana Army National Guard Armory in Missoula County; and providing an effective date." Referred to Committee on Long Range Building.

Senate Bill No. 504, introduced by Drake, Bennett, Vainio: A bill for an act entitled: "An act known as the 'Montana Small Business Purchasing Act' authoriz-

ing state agencies to set aside specified commodities, equipment or services for bidding by small businesses." Referred to Committee on Business and Industry.

Senate Bill No. 525, introduced by Hall, Devine, Lowe: A bill for an act entitled: "An act defining and punishing shoplifting; amending Sections 95-611 and 11-1602, R.C.M. 1947, expanding a citizen's right to arrest offenders of this act and limiting civil actions based on such arrests." Referred to Committee on Business and Industry.

Senate Joint Resolution No. 61, introduced by Bertsche, Lynch, Cochrane, McDonald, Rosell, Gilfeather, Mathers, Sorensen: A Joint Resolution of the Senate and the House of Representatives of the State of Montana requesting Congress to allow Montana to be on mountain daylight time from March First through November First. Referred to Committee on Constitution, Elections and Federal Relations.

SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)

Fasbender moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading under the rules of the previous sitting.

Motion carried.

Roberts in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

February 5, 1974

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That House Bill No. 636 do not pass. (66-22)

That House Bill No. 755 do pass. (89-0)

That House Bill No. 802 do pass. (83-0)

That House Bill No. 813 do pass. (79-1)

That House Bill No. 858 do pass. (68-11)

That House Bill No. 870 do pass. (82-1)

That House Bill No. 874 do not pass. (57-28)

That House Bill No. 880 be passed for the day.

That House Bill No. 886 be passed to the bottom of the board.

That House Bill No. 894 do pass. (74-0)

That House Bill No. 929 do pass. (57-25)

That House Bill No. 1036 do not pass. (67-15)

That House Bill No. 1093 do not pass. (63-1)

That House Resolution No. 54 be amended on page 2, by striking lines 5 through 9 in their entirety (50-45), and

Be further amended on page 2, line 10 by striking all the material in lines 10, 11, 12, 13 and 14 (51-47), and

As amended, be adopted. (63-33)

That Senate Joint Resolution No. 50 be concurred in. (74-3)

That Senate Amendments to House Bill No. 715 be concurred in. (78-0)

That House Bill No. 886 be amended by removing old Section 1 from the bill in its entirety and renumber the remaining sections accordingly (72-2), and

As amended, do pass. (84-0)

That the committee rise and report.

ROBERTS, Chairman

Report adopted.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 557 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Hall, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Laas, Lee, Lien, Lockrem, Lombardi, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Norman, Olson, Quilici, Regan, Roberts, Rolfe, Seifert, Selstad, Shelden, Smith, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 92.

Noes: None.

Excused: Kvaalen, Lucas, Mercer, Prevost, Schepens, Ulmer. Total 6.

Absent or not voting: Bennetts, Schye. Total 2.

House Bill No. 610 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Fagg, Fasbender, Fleming, Flynn, Forsgren, Glennen, Greely, Gunderson, Hageman, Hager, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kosena, Laas, Lee, Lien, Lockrem, Lombardi, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Norman, Olson, Quilici, Regan, Roberts, Rolfe, Schye, Seifert, Shelden, Smith, Staigmillier, Stephens, Stoltz, Swanberg, Towe, Turman, Turner, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 86.

Noes: Burnett, Ellerd, Kolstad, Selstad. Total 4.

Excused: Hall, Kvaalen, Lucas, Mercer, Prevost, Schepens, Ulmer. Total 7.

Absent or not voting: Galt, Haines, Tierney. Total 3.

House Bill No. 678 was passed by the following vote:

Ayes: Asbjornson, Bardanouve, Barrett, Baucus, Bennetts, Bradley, Castles, Colberg, Cotton, Cox, Driscoll, Edland, Fleming, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Johnston, Jones, Kessner, Kimble, Kosena, Lee, Lombardi, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Norman, Olson, Quilici, Regan, Schye, Seifert, Selstad, Shelden, Staigmillier, Stephens, Stoltz, Swanberg, Towe, Turman, Turner, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 65.

Noes: Aageson, Ainsworth, Baeth, Bell, Brand, Brown, Burnett, Campbell, Clemow, East, Ellerd, Fagg, Fasbender, Flynn, Haines, Jacobsen, Kendall, Kolstad, Laas, Lien, Lockrem, Mann, Murphy, Roberts, Rolfe, Smith, Tierney, Walborn. Total 28.

Excused: Hall, Kvaalen, Lucas, Mercer, Prevost, Schepens, Ulmer. Total 7.

Absent or not voting: None.

House Bill No. 721 was passed by the following vote:

Ayes: Ainsworth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Campbell, Colberg, Cotton, Cox, Driscoll, Edland, Fagg, Fasbender, Fleming, Flynn, Galt, Glennen, Greely, Gunderson, Hageman, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Huennekens, Jacobsen, Johnston, Kendall, Kosena, Lee, Lien, Lombardi, Lucas, Lund, Lynch, Manuel, Marbut, Mehrens, Menahan, Murphy, Norman, Quilici, Regan, Roberts, Schye, Shelden, Staigmillier, Stephens, Stoltz, Tierney, Towe, Turman, Watt, Yardley, Zimmer, Mr. Speaker. Total 61.

Noes: Aageson, Asbjornson, Burnett, Castles, Clemow, East, Ellerd, Forsgren, Hager, Haines, Holtz, Hubing, Jones, Kessner, Kolstad, Kvaalen, Laas, Lockrem, Lundgren, McKittrick, Mann, Marks, Mercer, Olson, Rolfe, Seifert, Selstad, Smith, Swanberg, Turner, Ulmer, Walborn, Warfield. Total 33.

Paired: Barrett, Bell, Cox, Lucas, Lund, aye; Kvaalen, Lockrem, Marks, Mercer, Ulmer, nay.

Excused: Hall, Prevost, Schepens. Total 3.

Absent or not voting: Baeth, Brown, Kimble. Total 3.

House Bill No. 732 was passed by the following vote:

Ayes: Ainsworth, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Laas, Lee, Lien, Lockrem, Lombardi, Lund, Lundgren, Lynch, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Norman, Olson, Quilici, Regan, Roberts, Rolfe, Seifert, Shelden, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 85.

Noes: Aageson, Asbjornson, Holtz, Johnston, McKittrick, Schye, Selstad, Smith. Total 8.

Excused: Hall, Kvaalen, Lucas, Mercer, Prevost, Schepens, Ulmer. Total 7.

Absent or not voting: None.

House Bill No. 744 was passed by the following vote:

Ayes: Aageson, Ainsworth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Laas, Lee, Lien, Lockrem, Lombardi, Lund, Lundgren, McKittrick, Mann, Manuel, Marbut, Mehrens, Menahan, Murphy, Norman, Olson, Quilici, Regan, Roberts, Rolfe, Schye, Seifert, Selstad, Shelden, Smith, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 88.

Noes: Holmes. Total 1.

Excused: Hall, Kvaalen, Lucas, Mercer, Prevost, Schepens, Ulmer. Total 7.

Absent or not voting: Asbjornson, Baeth, Lynch, Marks. Total 4.

House Bill No. 770 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Laas, Lee, Lien, Lombardi, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut,

Marks, Mehrens, Menahan, Murphy, Norman, Olson, Quilici, Regan, Rolfe, Schye, Seifert, Selstad, Shelden, Smith, Staigmillier, Stephens, Stoltz, Swanberg, Towe, Turman, Turner, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 89.

Noes: Flynn, Lockrem, Tierney. Total 3.

Excused: Hall, Kvaalen, Lucas, Mercer, Prevost, Schepens, Ulmer. Total 7.

Absent or not voting: Roberts. Total 1.

House Bill No. 796 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Barrett, Baucus, Bell, Bennetts, Bradley, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kimble, Kolstad, Kosena, Laas, Lee, Lien, Lombardi, Lund, Lundgren, Lynch, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Norman, Olson, Quilici, Regan, Roberts, Rolfe, Schye, Seifert, Selstad, Shelden, Smith, Stephens, Stoltz, Swanberg, Towe, Turman, Turner, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 86.

Noes: Brand, Kessner, Lockrem, McKittrick, Staigmillier, Tierney. Total 6.

Excused: Hall, Kvaalen, Lucas, Mercer, Prevost, Schepens, Ulmer. Total 7.

Absent or not voting: Bardanouve. Total 1.

House Bill No. 978 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Laas, Lee, Lien, Lockrem, Lombardi, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Norman, Olson, Quilici, Regan, Roberts, Rolfe, Seifert, Selstad, Shelden, Smith, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Walborn, Warfield, Yardley, Zimmer, Mr. Speaker. Total 89.

Noes: Burnett, Watt. Total 2.

Excused: Hall, Kvaalen, Lucas, Mercer, Prevost, Schepens, Ulmer. Total 7.

Absent or not voting: Schye, Staigmillier. Total 2.

House Bill No. 1002 was passed by the following vote:

Ayes: Aageson, Ainsworth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Hageman, Hager, Haines, Halvorson, H. Harper, Healy, Hodges, Holmes, Holtz, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Laas, Lee, Lien, Lockrem, Lombardi, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Norman, Olson, Quilici, Regan, Roberts, Rolfe, Schye, Seifert, Shelden, Smith, Staigmillier, Stoltz, Swanberg, Tierney, Turman, Turner, Walborn, Watt, Zimmer. Total 80.

Noes: R. Harper, Selstad, Warfield, Yardley, Mr. Speaker. Total 5.

Excused: Hall, Kvaalen, Lucas, Mercer, Prevost, Schepens, Ulmer. Total 7.

Absent or not voting: Asbjornson, Baeth, Edland, Gunderson, Hubing, Murphy, Stephens, Towe. Total 8.

REPORTS OF STANDING COMMITTEES

February 5, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills and resolution correctly printed: House Joint Resolution No. 56, House Bill No. 966, House Bill No. 1083.

QUILICI, Chairman

February 5, 1974

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 621, respectfully report as follows: That House Bill No. 621 do not pass.

LEE, Chairman

February 4, 1974

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 635, respectfully report as follows: That House Bill No. 635 be amended on page 1, line 12 after the word: "area" by inserting the following material: "when technically or economically feasible", and

Be further amended on page 1, line 17 by adding the word: "distribution" before the word: "lines", and

Be further amended on page 1, line 17 and continuing on line 18 by omitting the words: "between the last substation" and inserting in lieu thereof the words: "in the new service area", and

Be further amended on page 1, line 20 following the word: "The" by omitting the word: "department" and inserting in lieu thereof the words: "public service commission", and

As amended, do pass.

MEHRENS, Chairman

Report adopted.

February 5, 1974

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration House Bill No. 642, respectfully report as follows: That House Bill No. 642 do not pass.

GREELY, Vice-Chairman

February 5, 1974

Mr. Speaker: We, your Committee on Natural Resources, having had under consideration House Bill No. 646, respectfully report as follows: That House Bill No. 646 do not pass.

SHELDEN, Chairman

February 5, 1974

Mr. Speaker: We, your Committee on Natural Resources, having had under consideration House Bill No. 688, respectfully report as follows: That House Bill No. 688 do not pass.

SHELDEN, Chairman

February 5, 1974

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 790, respectfully report as follows: That House Bill No. 790 be amended on page 2, lines 6 and 7 by omitting the following material: ", except senators elected at the general election held in 1968," and

Be further amended on page 2, line 10 by omitting the following material: "fifty dollars (\$50)" and inserting in lieu thereof the following material: "thirty-six dollars (\$36)", and

Be further amended on page 3, line 14 by omitting the following material: "fifty dollars (\$50)" and inserting in lieu thereof the following material: "thirty-six dollars (\$36)", and

Be further amended on page 3, line 15 by omitting the following material: "thirty-five hundred dollars (\$3500)" and inserting in lieu thereof the following material: "two thousand five hundred twenty dollars (\$2520)", and

Be further amended on page 4, line 11 by omitting the following material: "fifty dollars (\$50)" and inserting in lieu thereof the following material: "thirty-six dollars (\$36)", and

Be further amended on page 5, line 3 by omitting the words: "payable monthly" and inserting in lieu thereof the following words: "paid as an annual salary on a monthly basis", and

Be further amended on page 5 after the material on line 5 by adding a new Section 4 as follows: "Section 4. Expenses. Legislators shall receive fifty dollars (\$50) per month, payable monthly, for each month the legislature is not in session to cover expenses such as telephone costs, travel expenses not covered herein, cost of postage and other miscellaneous expenses.", and

Be further amended on page 5 to renumber Section 4 to conform numerically, and

As amended, do pass.

BRAND, Chairman

Report adopted.

February 5, 1974

Mr. Speaker: We, your Committee on Natural Resources, having had under consideration House Bill No. 801, respectfully report as follows: That House Bill No. 801 do not pass.

SHELDEN, Chairman

February 5, 1974

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 811, respectfully report as follows: That House Bill No. 811 do not pass.

LEE, Chairman

February 5, 1974

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 971, respectfully report as follows: That House Bill No. 971 do pass.

LEE, Chairman

Report adopted.

February 4, 1974

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 973, respectfully report as follows: That House Bill No. 973 do not pass.

MEHRENS, Chairman

February 4, 1974

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 980, respectfully report as follows: That House Bill No. 980 do pass.

MEHRENS, Chairman

Report adopted.

February 4, 1974

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 982, respectfully report as follows: That House Bill No. 982 do not pass.

MEHRENS, Chairman

February 5, 1974

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 989, respectfully report as follows: That House Bill No. 989 be amended on page 5, line 3 after the word: "manufactured", by inserting the following: "after June 30, 1972 but", and

As amended, do pass.

LEE, Chairman

Report adopted.

February 5, 1974

Mr. Speaker: We, your Committee on Natural Resources, having had under consideration House Joint Resolution No. 53, respectfully report as follows: That House Joint Resolution No. 53 be amended in the original resolution on page 2 following line 23 by adding a new paragraph as follows:

"Be it further resolved, that a copy of this joint resolution be sent to the Montana Congressional Delegation, the Secretary of the Department of Interior, and the Director of the Bureau of Reclamation.", and

As amended, be adopted.

SHELDEN, Chairman

Report adopted.

February 5, 1974

Mr. Speaker: We, your Committee on Natural Resources, having had under consideration House Joint Resolution No. 57, respectfully report as follows: That House Joint Resolution No. 57 be amended in the original resolution, page 1, line 20 by omitting the word: "Records" and inserting in lieu thereof the word: "Places", and

As amended, be adopted.

SHELDEN, Chairman

Report adopted.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 173 was adopted by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Cotton, Cox, Driscoll, East, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Laas, Lee, Lockrem, Lombardi, Lund, Lynch, McKittrick, Mann, Manuel, Marbut, Mehrens, Menahan, Murphy, Norman, Olson, Quilici, Regan, Rolfe, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 83.

Noes: None.

Excused: Hall, Kvaalen, Lucas, Mercer, Prevost, Schepens, Ulmer. Total 7.

Absent or not voting: Ainsworth, Colberg, Edland, Galt, Huennekens, Lien, Lundgren, Marks, Roberts, Schye. Total 10.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 847 was adopted by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Brown, Castles, Clemow, Cotton, Cox, Driscoll, East, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, R. Harper, Healy, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kessner, Kimble, Kolstad, Kosena, Laas, Lee, Lien, Lockrem, Lombardi, Lund, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Norman, Olson, Quilici, Regan, Rolfe, Seifert, Selstad, Shelden, Smith, Staigmilller, Stephens, Stoltz, Swanberg, Tierney, Turner, Walborn, Warfield, Zimmer, Mr. Speaker. Total 77.

Noes: Bradley, Brand, Campbell, H. Harper, Hodges, Kendall, Towe, Turman, Watt, Yardley. Total 10.

Excused: Hall, Kvaalen, Lucas, Mercer, Prevost, Schepens, Ulmer. Total 7.

Absent or not voting: Burnett, Colberg, Edland, Lundgren, Roberts, Schye. Total 6.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 878 was adopted by the following vote:

Ayes: Ainsworth, Bardanouve, Baucus, Bennetts, Bradley, Brand, Castles, Clemow, Colberg, Cotton, Cox, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kosena, Laas, Lee, Lien, Lockrem, Lombardi, Lund, Lynch, McKittrick, Mann, Manuel, Marbut, Mehrens, Menahan, Murphy, Norman, Olson, Quilici, Regan, Roberts, Schye, Seifert, Shelden, Smith, Staigmilller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Watt, Yardley, Zimmer, Mr. Speaker. Total 72.

Noes: Aageson, Barrett, Bell, Brown, Burnett, Driscoll, Holtz, Hubing, Kolstad, Marks, Rolfe, Selstad, Turner, Walborn, Warfield. Total 15.

Excused: Hall, Kvaalen, Lucas, Mercer, Prevost, Schepens, Ulmer. Total 7.

Absent or not voting: Asbjornson, Baeth, Campbell, East, Edland, Lundgren. Total 6.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 983 was adopted by the following vote:

Ayes: Ainsworth, Asbjornson, Baeth, Bardanouve, Baucus, Bennetts, Bradley, Brand, Castles, Clemow, Colberg, Driscoll, Ellerd, Fagg, Fasbender, Flynn, Galt, Glennen, Greely, Gunderson, Haines, Halvorson, H. Harper, Healy, Hodges, Holmes, Jacobsen, Johnston, Kessner, Kimble, Kosena, Lee, Lien, Lombardi, Lund, Lynch, McKittrick, Marbut, Mehrens, Menahan, Norman, Olson, Quilici, Roberts, Selstad, Smith, Staigmilller, Swanberg, Turman, Watt, Mr. Speaker. Total 51.

Noes: Aageson, Barrett, Bell, Brown, Burnett, Cotton, Cox, East, Edland, Fleming, Hageman, Hager, R. Harper, Holtz, Hubing, Jones, Kendall, Kolstad, Laas, Lockrem, Mann, Manuel, Marks, Murphy, Regan, Rolfe, Schye, Seifert, Stephens, Stoltz, Tierney, Towe, Turner, Walborn, Warfield, Yardley, Zimmer. Total 37.

Excused: Hall, Kvaalen, Lucas, Mercer, Prevost, Schepens, Ulmer. Total 7.

Absent or not voting: Campbell, Forsgren, Huennekens, Lundgren, Shelden. Total 5.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 1059 was adopted by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Baucus, Bradley, Brand, Brown, Clemow, Colberg, Cotton, Cox, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz,

Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Laas, Lee, Lien, Lockrem, Lombardi, Lund, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Norman, Olson, Quilici, Regan, Roberts, Schye, Seifert, Selstad, Shelden, Smith, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 83.

Noes: Barrett, Bell, Castles, Hager, Rolfe. Total 5.

Excused: Hall, Kvaalen, Lucas, Mercer, Prevost, Schepens, Ulmer. Total 7.

Absent or not voting: Bennetts, Burnett, Campbell, Driscoll, Lundgren. Total 5.

February 5, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills and resolution correctly engrossed: House Bill No. 945, House Bill No. 965, House Joint Resolution No. 42.

QUILICI, Chairman

MESSAGES FROM THE GOVERNOR

February 5, 1974

Honorable Harold Gerke
Speaker of the House of Representatives
Capitol
Helena, Montana

Dear Mr. Speaker:

I have the honor to inform you that I have this day approved the following measures:

House Bills Nos.: 489, 631, and 641.

Sincerely,

THOMAS L. JUDGE
Governor

cc: Honorable Gordon McOmber

February 5, 1974

Honorable Edwin A. Smith
Chief Clerk
House of Representatives
Capitol
Helena, Montana

Dear Mr. Smith:

In accordance with your February 5 letter regarding House Bill 592, I am returning this measure to the House of Representatives for further consideration.

Sincerely,

THOMAS L. JUDGE
Governor

MOTIONS

Fasbender moved that House Bill No. 945 be taken from Third Reading and referred to the Committee on Rules.

Motion carried.

Fasbender, having voted on the prevailing side on the previous legislative day on Third Reading for House Bill No. 720, moved that the House reconsider its action.

Motion carried.

Fasbender moved that the House adjourn until 1:30 p.m., February 6, 1974.

Motion carried.

House adjourned.

HAROLD E. GERKE, Speaker

EDWIN A. SMITH, Chief Clerk

TWENTY-SEVENTH LEGISLATIVE DAY

Helena, Montana
February 6, 1974

House Chambers
Capitol Building

House convened at 1:30 p.m., Mr. Speaker in the Chair.

Invocation by the Chaplain.

Pledge of Allegiance to the Flag.

Roll call. All members present except Hall, Hager, Lockrem, Mercer, all excused.

Quorum present.

Mr. Speaker: We, your Committee on Bills and Journal, having examined the daily journal for the Twenty-sixth Legislative Day, find the same to be correct.

QUILICI, Chairman

REPORTS OF STANDING COMMITTEES

February 6, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills and resolution correctly printed: House Bill No. 693, House Bill No. 971, House Bill No. 980, House Joint Resolution No. 53.

QUILICI, Chairman

February 6, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills considered correctly engrossed: House Bill No. 755, House Bill No. 802, House Bill No. 813, House Bill No. 858, House Bill No. 870, House Bill No. 894, House Bill No. 929.

QUILICI, Chairman

February 6, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill correctly engrossed: House Bill No. 886.

QUILICI, Chairman

February 5, 1974

reported February 6, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly printed: House Bill No. 774, House Bill No. 852, House Bill No. 1095.

QUILICI, Chairman

February 5, 1974

The following bill and resolution were signed in the office of the Speaker of the House of Representatives on February 5, 1974: House Resolution No. 47, House Bill No. 845.

EDWIN A. SMITH, Chief Clerk

House of Representatives

Objection raised by Watt on adverse committee report on House Bill No. 801.
Referred to Second Reading.

February 6, 1974

Mr. Speaker: We, your Committee on Taxation, having had under consideration House Bill No. 884, respectfully report as follows: That House Bill No. 884 be amended on page 1, Section 1; line 20 after the word: "property" by striking the words: "of said", and inserting in lieu thereof the words: "within the jurisdiction of the", and

As amended, do pass.

WATT, Chairman

Report adopted.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 594 was adopted by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Bardanouve, Barrett, Baucus, Bell, Bradley, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Gunderson, Hageman, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Jacobsen, Johnston, Jones, Kessner, Kimble, Kolstad, Kvaalen, Laas, Lee, Lien, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Olson, Prevost, Quilici, Regan, Rolfe, Schepens, Seifert, Selstad, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Ulmer, Walborn, Warfield, Yardley, Zimmer, Mr. Speaker. Total 82.

Noes: Baeth, Brand, Kendall, Roberts, Shelden. Total 5.

Excused: Hager, Hall, Lockrem, Mercer. Total 4.

Absent or not voting: Bennetts, Cotton, Greely, Huennekens, Kosena, Norman, Schye, Turner, Watt. Total 9.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 621 was adopted by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bradley, Brown, Burnett, Campbell, Clemow, Colberg, Cox, Driscoll, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Gunderson, Hageman, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kessner, Kimble, Kolstad, Kvaalen, Laas, Lee, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Murphy, Norman, Olson, Prevost, Regan, Roberts, Rolfe, Schepens, Seifert, Selstad, Shelden, Smith, Stoltz, Swanberg, Tierney, Towe, Turman, Ulmer, Walborn, Warfield, Yardley, Zimmer, Mr. Speaker. Total 79.

Noes: Brand, Kendall, Menahan. Total 3.

Excused: Hager, Hall, Lockrem, Mercer. Total 4.

Absent or not voting: Bennetts, Castles, Cotton, East, Edland, Greely, Kosena, Lien, Quilici, Schye, Staigmiller, Stephens, Turner, Watt. Total 14.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 646 was adopted by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bradley, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cox, Driscoll, East, Edland, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Gunderson, Hageman, Haines, Halvorson, H. Harper, Healy, Hodges, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kvaalen, Laas, Lee, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Olson, Prevost, Quilici, Roberts, Rolfe, Schepens, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens,

Stoltz, Swanberg, Tierney, Towe, Turman, Ulmer, Walborn, Warfield, Watt, Yardley. Total 80.

Noes: Brand, Fagg, R. Harper, Holmes, Zimmer. Total 5.

Excused: Hager, Hall, Lockrem, Mercer. Total 4.

Absent or not voting: Bennetts, Cotton, Ellerd, Greely, Kosena, Lien, Norman, Regan, Schye, Turner, Mr. Speaker. Total 11.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 688 was adopted by the following vote:

Ayes: Aageson, Ainsworth, Bardanouve, Baucus, Bell, Bradley, Brown, Campbell, Castles, Clemow, Cotton, Driscoll, East, Edland, Fagg, Fasbender, Fleming, Flynn, Galt, Greely, Hageman, Halvorson, H. Harper, Healy, Holtz, Hubing, Jacobsen, Johnston, Jones, Kessner, Kimble, Kosena, Kvaalen, Laas, Lee, Lien, Lombardi, Lund, Lynch, McKittrick, Mann, Manuel, Marks, Mehrens, Menahan, Murphy, Norman, Prevost, Quilici, Roberts, Rolfe, Schepens, Seifert, Selstad, Shelden, Smith, Staigmilller, Stephens, Stoltz, Swanberg, Walborn, Warfield, Yardley, Mr. Speaker. Total 64.

Noes: Asbjornson, Baeth, Barrett, Brand, Burnett, Colberg, Cox, Ellerd, Forsgren, Glennen, Gunderson, Haines, R. Harper, Hodges, Holmes, Huennekens, Kendall, Kolstad, Lucas, Lundgren, Marbut, Olson, Tierney, Towe, Turman, Turner, Ulmer, Watt, Zimmer. Total 29.

Excused: Hager, Hall, Lockrem, Mercer. Total 4.

Absent or not voting: Bennetts, Regan, Schye. Total 3.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 784 was adopted by the following vote:

Ayes: Aageson, Ainsworth, Bardanouve, Barrett, Baucus, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lien, Lombardi, Lucas, Lund, Mann, Manuel, Marbut, Marks, Menahan, Norman, Olson, Prevost, Regan, Roberts, Rolfe, Schepens, Seifert, Selstad, Smith, Staigmilller, Stephens, Stoltz, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 78.

Noes: Bell, Flynn, Lee, Lundgren, Lynch, McKittrick, Mehrens, Murphy, Quilici, Shelden, Swanberg, Zimmer. Total 12.

Excused: Hager, Hall, Lockrem, Mercer. Total 4.

Absent or not voting: Asbjornson, Baeth, Bennetts, Burnett, Johnston, Schye. Total 6.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 811 was adopted by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bradley, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Quilici, Rolfe, Schepens, Seifert, Selstad, Shelden, Smith, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Yardley, Mr. Speaker. Total 87.

Noes: Brand, Staigmilller, Watt, Zimmer. Total 4.

Excused: Hager, Hall, Lockrem, Mercer. Total 4.

Absent or not voting: Bennetts, Kimble, Regan, Roberts, Schye. Total 5.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 973 was adopted by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Bardanouve, Barrett, Baucus, Bell, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Gunderson, Hageman, Haines, Halvorson, H. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Laas, Lee, Lien, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Quilici, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Turman, Turner, Ulmer, Walborn, Watt, Yardley, Mr. Speaker. Total 79.

Noes: Bradley, Brand, Brown, R. Harper, Rolfe, Towe, Warfield, Zimmer. Total 8.

Excused: Hager, Hall, Lockrem, Mercer. Total 4.

Absent or not voting: Baeth, Bennetts, East, Edland, Greely, Jacobsen, Kvaalen, Regan, Roberts. Total 9.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 982 was adopted by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Bardanouve, Barrett, Baucus, Bell, Bradley, Brown, Burnett, Campbell, Castles, Clemow, Cotton, Cox, Driscoll, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Haines, Halvorson, H. Harper, Healy, Holtz, Hubing, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kvaalen, Laas, Lee, Lien, Lombardi, Lucas, Lund, Lundgren, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Yardley, Mr. Speaker. Total 79.

Noes: Baeth, Brand, Colberg, R. Harper, Hodges, Huennekens, Kosena, Lynch, McKittrick, Quilici, Watt, Zimmer. Total 12.

Excused: Hager, Hall, Lockrem, Mercer. Total 4.

Absent or not voting: Bennetts, East, Holmes, Regan, Roberts. Total 5.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 642 was adopted by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Barrett, Bell, Brand, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, Ellerd, Fagg, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Hageman, Halvorson, Healy, Holtz, Hubing, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kvaalen, Laas, Lee, Lien, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marks, Menahan, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Turman, Turner, Ulmer, Walborn, Warfield, Mr. Speaker. Total 72.

Noes: Bardanouve, Bradley, H. Harper, R. Harper, Hodges, Holmes, Huennekens, Kolstad, Marbut, Murphy, Towe, Watt, Yardley, Zimmer. Total 14.

Excused: Hager, Hall, Lockrem, Mercer. Total 4.

Absent or not voting: Baucus, Bennetts, Brown, East, Edland, Fasbender, Gunderson, Haines, Kosena, Mehrens. Total 10.

February 6, 1974

Mr. Speaker: We, your Committee on Taxation, having had under consideration House Bill No. 495, respectfully report as follows: That House Bill No. 495 do not pass.

WATT, Chairman

February 6, 1974

Mr. Speaker: We, your Committee on Fish and Game, having had under consider-

ation House Bill No. 724, respectfully report as follows: That House Bill No. 724 do not pass.

STAIGMILLER, Chairman

February 6, 1974

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Bill No. 824, respectfully report as follows: That House Bill No. 824 do not pass.

STAIGMILLER, Chairman

February 6, 1974

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Bill No. 854, respectfully report as follows: That House Bill No. 854 do not pass.

STAIGMILLER, Chairman

February 6, 1974

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Bill No. 855, respectfully report as follows: That House Bill No. 855 do pass.

STAIGMILLER, Chairman

Report adopted.

February 6, 1974

Mr. Speaker: We, your Committee on Taxation, having had under consideration House Bill No. 861, respectfully report as follows: That House Bill No. 861 do not pass.

WATT, Chairman

February 6, 1974

Mr. Speaker: We, your Committee on Taxation, having had under consideration House Bill No. 986, respectfully report as follows: That House Bill No. 986 do not pass.

WATT, Chairman

February 6, 1974

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Bill No. 1043, respectfully report as follows: That House Bill No. 1043 do not pass.

STAIGMILLER, Chairman

February 6, 1974

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Bill No. 1045, respectfully report as follows: That House Bill No. 1045 do not pass.

STAIGMILLER, Chairman

February 6, 1974

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Joint Resolution No. 68, respectfully report as follows: That House Joint Resolution No. 68 be amended in the title on page 1, line 7 after the word: "lands" by omitting the word: "leased" and inserting in lieu thereof the word: "managed", and

Be further amended in the title on page 1, line 7 after the word: "management" by inserting the following material: "and the United States forest service", and

Be further amended on page 1, line 14 after the word: "persons" by omitting the word: "leasing" and inserting in lieu thereof the words: "using such", and

Be further amended on page 1, line 16 after the words: "hunt on" by omitting the word: "leased" and inserting in lieu thereof the word: "managed", and

Be further amended on page 1, line 18 before the word: "agreements" by omitting the word: "lease" and inserting in lieu thereof the word: "permit", and

Be further amended on page 1, line 19 after the word: "such" by omitting the word: "lease" and inserting in lieu thereof the word: "permit", and

Be further amended on page 1, line 25 after the word: "use" by omitting the following material: "provisions by public domain lessees," and

Be further amended on page 2, line 6 after the word: "Management" by inserting the following material: "and the secretary of the department of agriculture is urged to direct the forest service", and

Be further amended on page 2, line 7 after the word: "grazing" by omitting the word: "leases", and inserting in lieu thereof the word: "permits", and

Be further amended on page 2, line 8 after the word: "such" by omitting the word: "leased" and inserting in lieu thereof the word: "managed", and

Be further amended on page 2, line 9 after the words: "cancellation of" by omitting the word: "leases" and inserting in lieu thereof the word: "permits", and

As amended, do pass.

STAIGMILLER, Chairman

Report adopted.

February 6, 1974

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 519, respectfully report as follows: That Senate Bill No. 519 be concurred in.

YARDLEY, Vice-Chairman

Report adopted.

February 6, 1974

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 621, respectfully report as follows: That Senate Bill No. 621 be concurred in.

YARDLEY, Vice-Chairman

Report adopted.

MOTIONS

Fasbender moved that House Bill No. 617 be taken from printing and returned to the Committee on Agriculture, Livestock and Irrigation.

Motion carried.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Fasbender moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading, under the rules of the previous sitting.

Motion carried.

H. Harper in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

February 6, 1974

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That House Bill No. 592 be amended in Section 49, page 49 of the engrossed bill, line 15 following the words: "age of" by completely omitting the words and figures: "twenty-one (21)" and by inserting without underscoring, the words and figures: "eighteen (18)" (82-0), and

Further amend Section 58, included in amendments dated January 15, 1974 by the Senate Committee on State Administration, by omitting the underscoring of material as follows: "The center may admit mentally retarded persons not residing in Montana in those circumstances in which Montana has agreed to do so by agreement with any other state." (83-0), and

Further amend Section 92 of the engrossed bill, page 95, line 1 following the word and punctuation: "treatment." by inserting the following material: (not to be underscored):

"A person so confined shall have a hearing, unless waived, within fifty (50) days of his confinement to determine his present mental condition and whether he may be discharged or released without danger to others. The court shall cause notice of the hearing to be served upon the person, his counsel and the prosecuting attorney. Such a hearing shall be deemed a civil proceeding and the burden shall be upon the defendant to prove by a preponderance of the evidence that he may be safely released. According to the determination of the court upon the hearing, the defendant shall be discharged or released on such conditions as the court determines to be necessary, or shall be committed to the custody of the superintendent of the Montana state hospital to be placed in an appropriate institution for custody, care and treatment." (81-0), and

Further amend Section 92, page 96 of the engrossed bill, line 10 following the word: "prove" by inserting the following words (not to be underscored): "by a preponderance of the evidence.", and

Further amend Section 92, page 96 of the engrossed bill, line 17 following the word: "above" by inserting the following words: "in subsection (2) and (3)" and by completely omitting the words: "for a first hearing", and

Further amend Section 92, page 97 of the engrossed bill, line 3 following the word: "above" by inserting the following words: "in subsection (2) and (3)" and by completely omitting the words: "for a first hearing" (80-0), and

Further amend Section 90, included in amendments dated January 15, 1974 (page 2) by the Senate Committee on State Administration, line 6 of the amendment, following the word: "recover" by inserting the word: "them", and by removing the underscoring of the words in this subsection following the figure: "(4)" (80-1), and

As amended, do pass. (88-0)

That House Bill No. 600 do pass. (65-24)

That House Bill No. 774 do pass. (86-3)

That House Bill No. 852 be passed to the bottom of the board.

Hager now present.

That House Bill No. 880 do pass. (68-9)

That House Bill No. 927 do pass. (75-0)

That House Bill No. 942 do pass. (88-2)

That House Bill No. 947 be amended in the title by adding the following new language after the word: "places" in line 10: "and providing an effective date" (79-0), and

Further amend House Bill No. 947, page 2, following line 3 by adding a new Section 2 to read as follows: "Section 2. This bill becomes effective upon passage." (74-2), and

As amended, do pass. (76-8)

That House Bill No. 954 be amended on page 3, line 23 after the word: "section" by deleting the figure: "1" and inserting in lieu thereof the figure: "2" (69-0), and

As amended, do pass. (78-4)

That House Bill No. 966 do pass. (81-2)

That House Bill No. 1083 do pass. (61-19)

That House Bill No. 1086 do pass. (76-5)

That House Bill No. 1095 do pass. (61-21)

That House Joint Resolution No. 52 do pass. (80-0)

That House Joint Resolution No. 56 do pass. (84-7)

That House Bill No. 852 be amended in the title on page 1, line 8 of the second reading bill, after the word: "and" by omitting the word: "deleting" and inserting in lieu thereof the word: "amending" (82-0), and

Further amend Section 1, page 1, line 16 of the second reading bill, after the word: "handling" by omitting the word: "or" and inserting in lieu thereof the following material: ", cleaning and", and

Further amend Section 1, Subsection (c), page 2, line 8 of the second reading bill, after the word: "grain" by omitting the words: "at request of owner", and

Further amend Section 1, Subsection (c), page 2, line 10 of the second reading bill, after the word: "owner" by inserting the following words: "at his request" (78-1), and

As amended, do pass. (87-0)

That the committee rise and report.

H. HARPER, Chairman

Report adopted.

THIRD READING OF BILLS

Ageson and Kolstad excused at this time.

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 632 was passed for the day.

House Bill No. 720 was passed by the following vote:

Ayes: Baeth, Bardanouve, Baucus, Bennetts, Bradley, Brand, Colberg, Cotton, Driscoll, Edland, Fagg, Fasbender, Fleming, Flynn, Greely, Gunderson, Hageman, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Huennekens, Johnston, Kimble, Kosena, Laas, Lee, Lombardi, Lynch, McKittrick, Manuel, Marbut, Menahan, Murphy, Norman, Prevost, Quilici, Regan, Roberts, Schepens, Shelden, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Watt, Yardley, Zimmer, Mr. Speaker. Total 55.

Noes: Ageson, Ainsworth, Asbjornson, Barrett, Bell, Brown, Burnett, Campbell, Castles, Clemow, Cox, East, Ellerd, Forsgren, Galt, Glennen, Hager, Holtz, Hubing, Jacobsen, Jones, Kessner, Kolstad, Kvaalen, Lien, Lockrem, Lucas, Lund, Lundgren, Mann, Marks, Mercer, Olson, Rolfe, Schye, Seifert, Selstad, Smith, Turner, Ulmer, Walborn, Warfield. Total 42.

Paired: Baucus, Fasbender, Swanberg, Yardley, Aye; Ageson, Kolstad, Lockrem, Mercer, Nay.

Excused: Hall. Total 1.

Absent or not voting: Kendall, Mehrens. Total 2.

House Bill No. 965 was passed by the following vote:

Ayes: Ainsworth, Baeth, Bardanouve, Baucus, Bennetts, Bradley, Brand, Brown, Burnett, Clemow, Colberg, Cotton, Cox, Driscoll, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Huennekens, Jacobsen, Johnston, Kendall, Kimble, Kosena, Kvaalen, Laas, Lee, Lien, Lombardi, Lucas, Lund, Lynch, McKittrick, Mann, Manuel, Marbut, Menahan, Murphy, Norman, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Seifert, Shelden, Staigmilller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Warfield, Watt, Zimmer, Mr. Speaker. Total 74.

Noes: Asbjornson, Barrett, Bell, Castles, East, Haines, Holtz, Hubing, Jones, Kessner, Lundgren, Marks, Olson, Schye, Selstad, Smith, Ulmer, Walborn, Yardley. Total 19.

Excused: Aageson, Hall, Kolstad, Lockrem, Mercer. Total 3.

Absent or not voting: Campbell, Mehrens. Total 4.

House Bill No. 1080 was passed by the following vote:

Ayes: Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Hageman, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kosena, Kvaalen, Laas, Lee, Lien, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Menahan, Murphy, Norman, Olson, Prevost, Quilici, Regan, Rolfe, Schepens, Schye, Seifert, Selstad, Smith, Staigmilller, Stephens, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Zimmer, Mr. Speaker. Total 84.

Noes: Bradley, Greely, Gunderson, Hager, Roberts, Stoltz, Yardley. Total 7.

Excused: Aageson, Hall, Kolstad, Lockrem, Mercer. Total 3.

Absent or not voting: Bennetts, Ellerd, Mehrens, Shelden. Total 6.

House Bill No. 1084 was passed by the following vote:

Ayes: Ainsworth, Baeth, Barrett, Baucus, Bell, Brown, Burnett, Campbell, Clemow, Colberg, Cotton, Cox, Edland, Fasbender, Fleming, Flynn, Forsgren, Glennen, Greely, Gunderson, Hageman, Haines, Halvorson, Hodges, Holmes, Huennekens, Jacobsen, Johnston, Jones, Kimble, Kosena, Kvaalen, Laas, Lien, Lucas, Lundgren, Lynch, Manuel, Marbut, Marks, Murphy, Norman, Olson, Quilici, Regan, Roberts, Rolfe, Selstad, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 61.

Noes: Asbjornson, Bardanouve, Bradley, Brand, Castles, Driscoll, East, Ellerd, Fagg, Galt, Hager, H. Harper, R. Harper, Healy, Hubing, Kendall, Kessner, Lee, Lombardi, Lund, McKittrick, Mann, Menahan, Prevost, Schepens, Schye, Seifert, Smith, Staigmilller, Walborn. Total 30.

Excused: Aageson, Hall, Kolstad, Lockrem, Mercer. Total 4.

Absent or not voting: Bennetts, Holtz, Mehrens, Shelden. Total 5.

House Bill No. 1098 was passed by the following vote:

Ayes: Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Driscoll, East, Edland, Fagg, Fasbender, Fleming, Flynn, Galt, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Huennekens, Jacobsen, Johnston, Kendall, Kessner, Kimble, Kosena, Kvaalen, Laas, Lee, Lombardi, Lund, Lynch, McKittrick, Manuel, Marbut, Menahan, Murphy, Norman, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Shelden, Staigmilller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Warfield, Watt, Yardley, Mr. Speaker. Total 70.

Noes: Ainsworth, Bell, Burnett, Cox, Ellerd, Forsgren, Glennen, Holtz, Jones, Lien, Lucas, Lundgren, Mann, Marks, Olson, Seifert, Selstad, Smith, Turner, Ulmer, Walborn, Zimmer. Total 22.

Excused: Aageson, Hall, Kolstad, Lockrem, Mercer. Total 3.

Absent or not voting: Bennetts, Hubing, Mehrens. Total 5.

House Joint Resolution No. 42 was passed by the following vote:

Ayes: Ainsworth, Asbjornson, Baeth, Barrett, Baucus, Bell, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kosena, Kvaalen, Laas, Lee, Lien, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Menahan, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmillar, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 91.

Noes: None.

Excused: Aageson, Hall, Kolstad, Lockrem, Mercer. Total 5.

Absent or not voting: Bardanouve, Bennetts, Mehrens, Turner. Total 4.

Senate Joint Resolution No. 50 was concurred in by the following vote:

Ayes: Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Glennen, Greely, Hageman, Hager, Haines, H. Harper, R. Harper, Healy, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kosena, Kvaalen, Laas, Lee, Lien, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Menahan, Murphy, Norman, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmillar, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 88.

Noes: Gunderson. Total 1.

Excused: Aageson, Hall, Kolstad, Lockrem, Mercer. Total 5.

Absent or not voting: Bennetts, Galt, Halvorson, Hodges, Mehrens, Olson. Total 6.

Senate Amendments to House Bill No. 715 were concurred in by the following vote:

Ayes: Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bradley, Brand, Brown, Burnett, Campbell, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Holmes, Holtz, Hubing, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kosena, Kvaalen, Lee, Lien, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Menahan, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Seifert, Selstad, Shelden, Smith, Staigmillar, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Zimmer, Mr. Speaker. Total 85.

Noes: Castles, Clemow, Huennekens, Laas. Total 4.

Excused: Aageson, Hall, Kolstad, Lockrem, Mercer. Total 5.

Absent or not voting: Bennetts, Galt, Hodges, Mehrens, Schye, Yardley. Total 6.

REPORTS OF STANDING COMMITTEES

February 6, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill considered correctly engrossed: House Bill No. 600.

QUILICI, Chairman

February 6, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly printed: House Bill No. 790, House Bill No. 855.

QUILICI, Chairman

February 6, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following resolution correctly enrolled: House Resolution No. 54.

QUILICI, Chairman

February 6, 1974

The following resolution will be signed at adjournment on February 6, 1974, in the office of the Speaker of the House of Representatives: House Resolution No. 54.

EDWIN A. SMITH, Chief Clerk
House of Representatives

February 6, 1974

I have examined House Resolution No. 54 introduced by me and find the same to be correct.

GREELY

Objection raised by Tierney on adverse committee report on House Bill No. 861. Referred to Second Reading.

February 6, 1974

Mr. Speaker: We, your Committee on Local Government, having had under consideration House Bill No. 765, respectfully report as follows: That House Bill No. 765 do pass.

KOSENA, Chairman

Report adopted.

February 5, 1974

Mr. Speaker: We, your Committee on Local Government, having had under consideration House Bill No. 871, respectfully report as follows: That House Bill No. 871 do pass.

KOSENA, Chairman

Report adopted.

February 5, 1974

Mr. Speaker: We, your Committee on Local Government, having had under consideration House Bill No. 955, respectfully report as follows: That House Bill No. 955 be amended on page 2, line 4 of the introduced copy, by omitting the words: "power, or communication", and

Further amend on page 2, line 13 by omitting the word: "five" and inserting the word: "three" and by omitting the figure: "(\$5,000,000)" and insert the following figure: "(\$3,000,000)", and

Further amend on page 2, line 25 by inserting a period: "." following the word: "facilities", and

Further amend on page 2, line 25 by omitting the word: "or", and

Further amend on page 3, lines 1 and 2 by omitting all of that material, and

As amended, do pass.

KOSENSA, Chairman

Report adopted.

MESSAGES FROM THE OTHER HOUSE

February 6, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that House Amendments to Senate Bill No. 465 were this day concurred in by the Senate.

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

Fasbender moved that the House adjourn until 1:30 p.m., February 7, 1974.

Motion carried.

House adjourned.

HAROLD E. GERKE, Speaker

EDWIN A. SMITH, Chief Clerk

TWENTY-EIGHTH LEGISLATIVE DAY

Helena, Montana
February 7, 1974

House Chambers
Capitol Building

House convened at 1:30 p.m., Mr. Speaker in the Chair.

Invocation by the Chaplain.

Pledge of Allegiance to the Flag.

Roll call. All members present except Asbjornson, Hall, Mercer and Selstad, all excused.

Quorum present.

Mr. Speaker: We, your Committee on Bills and Journal, having examined the daily journal for the Twenty-seventh Legislative Day, find the same to be correct.

QUILICI, Chairman

February 7, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills and resolutions correctly printed: House Bill No. 765; House Bill No. 871, House Bill No. 884, House Bill No. 989, House Joint Resolution No. 57, House Joint Resolution No. 68.

QUILICI, Chairman

February 7, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills and resolutions considered correctly engrossed: House Bill No. 774, House Bill No. 880, House Bill No. 927, House Bill No. 942, House Bill No. 966, House Bill No. 1083, House Bill No. 1086, House Bill No. 1095, House Joint Resolution No. 52, House Joint Resolution No. 56.

QUILICI, Chairman

February 7, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill correctly engrossed: House Bill No. 592.

QUILICI, Chairman

February 7, 1974

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bill No. 845, do hereby report that said bill, together with a copy thereof, signed by the Speaker of the House and President of the Senate, was this day, at the hour of 9:15 o'clock, a.m., delivered to the Governor for his approval.

QUILICI, Chairman

February 6, 1974

The following resolution was signed in the office of the Speaker of the House of Representatives on February 6, 1974: House Resolution No. 54.

EDWIN A. SMITH, Chief Clerk
House of Representatives

February 7, 1974

The following bills will be signed at adjournment on February 7, 1974, in the office of the Speaker of the House of Representatives: Senate Bill No. 478, Senate Bill No. 483, Senate Bill No. 527.

EDWIN A. SMITH, Chief Clerk
House of Representatives

Objection raised by Bell on adverse committee report on House Bill No. 934. Referred to Second Reading.

Objection raised by Huennekens on adverse committee report on House Bill No. 1043. Referred to Second Reading.

Objection raised by Huennekens on adverse committee report on House Bill No. 1045. Referred to Second Reading.

February 6, 1974

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration House Bill No. 565, respectfully report as follows: That House Bill No. 565 do not pass.

GREELY, Vice-Chairman

February 7, 1974

Mr. Speaker: We, your Committee on Agriculture, Livestock and Irrigation, having had under consideration House Bill No. 617, respectfully report as follows: That House Bill No. 617 be amended as follows:

Amend page 34, Section 30, line 13 following the word: "charges" by omitting the stricken words: "authorized by law to be", and

Amend page 34, Section 30, lines 13 and 14 by omitting the stricken words: "commissioner of agriculture" and by omitting the underscoring of the words: "department, including fees", and

Amend page 34, Section 30, lines 15 and 16 by omitting the stricken words: "by said commissioner", and

Amend page 34, Section 30, line 17 by omitting the stricken word: "is", and

Amend page 34, Section 30, line 17 by omitting the stricken word: "such" and by omitting the underscoring of the word: "those", and

Amend page 34, Section 30, line 18 by omitting the stricken word: "commissioner" and omitting the underscoring of the word: "department", and

Amend page 34, Section 30, line 18 by omitting the stricken words: "by him", and

Amend page 34, Section 30, line 20 by omitting the stricken words: "five per cent (5%) of" and "such" and by omitting the underscoring of the word: "the", and

Amend page 34, Section 30, lines 21 and 22 by omitting the stricken material therein, and

Amend page 35, Section 30, line 2 by omitting the stricken word: "commissioner" and by inserting in lieu thereof and striking the word: "department", and

Amend page 40, Section 35, line 17 by omitting the stricken punctuation and words: ", Harlowton, or Bozeman", and

Amend page 56, Section 54, line 14 by omitting the stricken word: "college" and by inserting in lieu thereof and striking the word: "university", and

Amend page 154, Section 136, line 5 by omitting the words: "to be", and

Amend page 190, Section 154, lines 11 through 13 following the word and punctuation: "shall," on line 11 and continuing through the word: "and" on line 13 by omitting the stricken material in its entirety, and

Amend page 190, Section 154, lines 16 and 17 by omitting the stricken words: "state apiarist" and by omitting the underscoring of the word: "department", and

Amend page 190, Section 154, line 17 by omitting the stricken word: "blank" and by omitting the underscoring of the word: "blanks", and

Amend page 190, Section 154, line 19 by omitting the stricken words: "state apiarist" and by omitting the underscoring of the word: "department", and

Amend page 190, Section 154, line 19 by omitting the stricken word: "which" and inserting in lieu thereof and striking the word: "the", and

Amend page 191, Section 154, line 7 by omitting the stricken words: "state apiarist" and by omitting the underscoring of the word: "department", and

Amend page 191, Section 154, lines 12 through 16 by omitting the stricken material in its entirety, and

Amend page 191, Section 154, lines 18 and 19 by omitting the stricken words: "state apiarist" and by omitting the underscoring of the word: "department", and

Amend page 192, Section 154, line 2 by omitting the stricken words: "state apiarist" and by omitting the underscoring of the word: "department", and

Amend page 192, Section 154, line 12 by omitting the stricken words: "state apiarist" and by omitting the underscoring of the word: "department", and

Amend page 192, Section 154, line 16 by omitting the stricken words: "state apiarist" and by omitting the underscoring of the word: "department", and

Amend page 192, Section 154, line 18 by omitting the stricken words: "state apiarist" and by omitting the underscoring of the word: "department", and

Amend page 192 and 193, Section 154, line 22 on page 192 through line 4 on page 193 by omitting the stricken material in its entirety, and

Amend page 194, Section 154, lines 14 and 15 by omitting the stricken words: "state apiarist" and by omitting the underscoring of the word: "department", and

Amend page 194, Section 154, line 20 by omitting the stricken words: "office of the state apiarist" and by omitting the underscoring of the word: "department", and

Amend page 197, Section 157, line 24 by omitting the stricken words: "state apiarist" and by omitting the underscoring of the word: "department", and

Amend page 198, Section 158, lines 23 and 24 by omitting the stricken words: "into the state" and by omitting the underscoring of the word: "interstate", and

Amend page 199, Section 158, lines 3 and 4 by omitting the stricken words: "a state apiarist" and by omitting the underscoring of the words: "an official responsible for apiary regulations", and

Amend page 199, Section 158, line 5 by omitting the stricken words: "Montana state apiarist" and by omitting the underscoring of the word: "department", and

Amend page 199, Section 158, line 9 by omitting the stricken words: "state apiarist" and by omitting the underscoring of the word: "department", and

Amend page 199, Section 158, lines 21 and 24 by omitting the stricken words: "said quarantined" and by omitting the underscoring of the words: "the bees or", and

Amend page 199, Section 158, line 25 by omitting the stricken words: "the state apiarist" and by omitting the underscoring of the words: "an official", and

Amend page 200, Section 158, line 1 by omitting the stricken punctuation and words: ", his deputy or deputies.", and

Amend page 200, Section 158, line 3 by omitting the stricken words: "Montana state apiarist or deputies" and by omitting the underscoring of the word: "department", and

Amend page 200, Section 158, line 4 by omitting the stricken words: "Montana state apiarist" and by omitting the underscoring of the word: "department", and

Amend page 200, Section 158, lines 8 and 9 by omitting the stricken words and punctuation: "Montana state apiarist, or his deputy," and by omitting the underscoring of the word: "department", and

Amend page 200, Section 158, line 10 by omitting the stricken word: "him" and by omitting the underscoring of the word: "it", and

Amend page 200, Section 158, line 16 by omitting the stricken words: "Montana state apiarist" and by omitting the underscoring of the word: "department", and

Amend page 201, Section 160, line 17 by omitting the stricken words: "state apiarist" and by omitting the underscoring of the word: "department", and

Amend page 202, Section 163, line 23 by omitting the stricken words: "state apiarist" and by omitting the underscoring of the word: "department", and

As amended, do pass.

FLEMING, Chairman

Report adopted.

February 7, 1974

Mr. Speaker: We, your Committee on Agriculture, Livestock and Irrigation, having had under consideration House Bill No. 648, respectfully report as follows: That House Bill No. 648 do not pass.

FLEMING, Chairman

February 7, 1974

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 723, respectfully report as follows: That House Bill No. 723 do pass.

GUNDERSON, Chairman

Report adopted.

February 7, 1974

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 806, respectfully report as follows: That House Bill No. 806 do pass.

GUNDERSON, Chairman

Report adopted.

February 6, 1974

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration House Bill No. 818, respectfully report as follows: That House Bill No. 818 do pass.

GREELY, Vice-Chairman

Report adopted.

February 6, 1974

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration House Bill No. 849, respectfully report as follows: That House Bill No. 849 be amended in the introduced bill in lines 11, 12 and 13 by striking: "Each regular session of the legislature shall begin annually at 12 noon on the first Monday in January.", and

Be further amended in the introduced bill in line 13 after: "session" by inserting: "of the legislature", and

As amended, do pass.

GREELY, Vice-Chairman

Report adopted.

February 7, 1974

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 866, respectfully report as follows: That House Bill No. 866 be amended on page 2, Section 1, line 6 after the word: "to" by inserting the words: "the proper legal remedies in the state courts", and

Be further amended on page 2, Section 1, lines 7 and 8 after the word: "courts" by omitting the words: "review in the nature of a writ of certiorari by a district court of the state", and

Be further amended on page 2, Section 1, lines 8 and 9 after the word: "state.", by omitting the words: "Petition for review shall be made", and inserting in lieu thereof the following words: "Such proceedings shall be commenced", and

As amended, do pass.

GUNDERSON, Chairman

Report adopted.

February 7, 1974

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 899, respectfully report as follows: That House Bill No. 899 be amended in Section 1 on page 1, line 17 after the word: "letter" by inserting the following new material: "or by personal notification for which a signed receipt is returned", and

As amended, do pass.

GUNDERSON, Chairman

Report adopted.

February 6, 1974

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration House Bill No. 903, respectfully report as follows: That House Bill No. 903 do not pass.

GREELY, Vice-Chairman

February 7, 1974

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 914, respectfully report as follows: That House Bill No. 914 do pass.

GUNDERSON, Chairman

Report adopted.

February 7, 1974

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 917, respectfully report as follows: That House Bill No. 917 do not pass.

GUNDERSON, Chairman

February 6, 1974

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration House Bill No. 934, respectfully report as follows: That House Bill No. 934 do not pass.

GREELY, Vice-Chairman

February 6, 1974

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration House Bill No. 956, respectfully report as follows: That House Bill No. 956 do not pass.

GREELY, Vice-Chairman

February 7, 1974

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 1052, respectfully report as follows: That House Bill No. 1052 do pass.

GUNDERSON, Chairman

Report adopted.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 495 was adopted by the following vote:

Ayes: Aageson, Ainsworth, Baeth, Barrett, Baucus, Bell, Brown, Campbell, Castles, Clemow, Cox, Driscoll, East, Edland, Ellerd, Flynn, Forsgren, Galt, Glennen, Gunderson, Hager, Halvorson, Healy, Hodges, Holtz, Hubing, Jones, Kendall, Kessner, Kosena, Kvaalen, Laas, Lee, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Seifert, Smith, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Turman, Turner, Ulmer, Walborn, Warfield, Yardley, Mr. Speaker. Total 67.

Noes: Bennetts, Bradley, Colberg, Fagg, H. Harper, R. Harper, Holmes, Huennekens, Kimble, Towe, Watt. Total 11.

Excused: Asbjornson, Hall, Mercer, Selstad. Total 4.

Absent or not voting: Bardanouve, Brand, Burnett, Cotton, Fasbender, Fleming, Greely, Hageman, Haines, Jacobsen, Johnston, Kolstad, Lien, Lockrem, Schepens, Schye, Shelden, Zimmer. Total 18.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 724 was adopted by the following vote:

Ayes: Ainsworth, Baeth, Barrett, Baucus, Bell, Campbell, Castles, Clemow, Cox, Driscoll, East, Edland, Ellerd, Fasbender, Forsgren, Galt, Halvorson, H. Harper, Healy, Holtz, Hubing, Johnston, Jones, Kendall, Kessner, Kimble, Kvaalen, Laas, Lee, Lombardi, Lucas, Lund, Lundgren, McKittrick, Mann, Manuel, Marks, Murphy, Norman, Olson, Prevost, Quilici, Regan, Rolfe, Seifert, Smith, Staigmillier, Stoltz, Swanberg, Tierney, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 57.

Noes: Aageson, Bennetts, Bradley, Brown, Burnett, Colberg, Fagg, Fleming, Flynn, Glennen, Gunderson, Hager, R. Harper, Hodges, Holmes, Huennekens, Kolstad, Kosena, Lynch, Marbut, Mehrens, Menahan, Roberts, Stephens, Towe, Walborn, Zimmer. Total 27.

Excused: Asbjornson, Hall, Mercer, Selstad. Total 4.

Absent or not voting: Bardanouve, Brand, Cotton, Greely, Hageman, Haines, Jacobsen, Lien, Lockrem, Schepens, Schye, Shelden. Total 12.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 824 was adopted by the following vote:

Ayes: Aageson, Ainsworth, Baeth, Barrett, Baucus, Bell, Bradley, Brown, Burnett, Campbell, Castles, Clemow, Cox, Driscoll, East, Ellerd, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hager, Halvorson, Healy, Holtz, Hubing, Huennekens, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Lee, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Seifert, Smith, Staigmillier, Stephens, Stoltz, Swanberg, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. 71.

Noes: Bennetts, Fagg, H. Harper, R. Harper, Hodges, Holmes, Mehrens, Menahan, Murphy, Tierney. Total 10.

Excused: Asbjornson, Hall, Mercer, Selstad. Total 4.

Absent or not voting: Bardanouve, Brand, Colberg, Cotton, Edland, Hageman, Haines, Jacobsen, Laas, Lien, Lockrem, Schepens, Schye, Shelden, Zimmer. Total 15.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 854 was adopted by the following vote:

Ayes: Aageson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brown, Burnett, Campbell, Castles, Clemow, Cox, Driscoll, East, Ellerd, Fagg, Fasbender, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Halvorson, Healy, Huennekens, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Lee, Lombardi, Lucas, Lund, Lynch, McKittrick, Mann, Marbut, Marks, Murphy, Norman, Prevost, Quilici, Regan, Roberts, Rolfe, Seifert, Smith, Staigmillier, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 66.

Noes: Ainsworth, Fleming, H. Harper, R. Harper, Hodges, Holmes, Holtz, Johnston, Lundgren, Manuel, Menahan, Olson, Zimmer. Total 13.

Excused: Asbjornson, Hall, Mercer, Selstad. Total 4.

Absent or not voting: Brand, Colberg, Cotton, Edland, Hageman, Hager, Haines, Hubing, Jacobsen, Laas, Lien, Lockrem, Mehrens, Schepens, Schye, Shelden, Stephens. Total 17.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 986 was adopted by the following vote:

Ayes: Aageson, Ainsworth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brown, Burnett, Campbell, Castles, Clemow, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hager, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Seifert, Smith, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 85.

Noes: None.

Excused: Asbjornson, Hall, Mercer, Selstad. Total 4.

Absent or not voting: Baeth, Brand, Colberg, Cotton, Hageman, Haines, Jacobsen, Lockrem, Schepens, Schye, Shelden. Total 11.

REPORTS OF SELECT COMMITTEES

February 6, 1974

Mr. Speaker: We, your Select Committee on Scenic Rivers, having had under consideration House Bill No. 133, respectfully report as follows: That House Bill No. 133 do not pass. Further, we your Select Committee on Scenic Rivers ask to be dissolved.

BARDANOUE, Chairman

MESSAGES FROM THE GOVERNOR

February 7, 1974

Honorable Harold Gerke
Speaker of the House of Representatives
Capitol
Helena, Montana

Dear Mr. Speaker:

I have the honor to inform you that I have this day approved House Bill No. 22.

Sincerely,

THOMAS L. JUDGE
Governor

cc: Honorable Gordon McOmber

MESSAGES FROM THE OTHER HOUSE

February 6, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bills and Resolutions were this day read three several times, and passed, titles and history agreed to, and the bills and resolutions are herewith transmitted to the House for concurrence:

Senate Bill No. 240 introduced by Lynch, Sorensen, et al

Senate Bill No. 481 introduced by Story

Senate Bill No. 508 introduced by Lowe and Bertsche

Senate Bill No. 566 introduced by Thiessen and Bertsche

Senate Bill No. 577 introduced by Deschamps, McCallum et al

Senate Bill No. 581 introduced by Bennett, Drake and Harrison

Senate Bill No. 584 introduced by Siderius

Senate Bill No. 619 introduced by Manning and Moritz

Senate Bill No. 667 introduced by Rosell

Senate Bill No. 692 introduced by Sorensen, Northey, et al

Senate Joint Resolution No. 65 introduced by Hall, Devine et al

Senate Joint Resolution No. 67 introduced by Bollinger, Goodheart and Keenan

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

MOTIONS

Mehrens moved that House Bill No. 221 be taken from the Committee on Taxation and placed on Second Reading. A roll call vote was requested by Mehrens,

with the Ayes and Nays spread on the Journal. Sufficient seconds arose and the motion passed by the following vote:

Ayes: Aageson, Ainsworth, Barrett, Bell, Brown, Burnett, Campbell, Castles, Clemow, Cox, East, Ellerd, Fagg, Forsgren, Galt, Glennen, Hager, Haines, Healy, Hodges, Holtz, Hubing, Johnston, Jones, Kessner, Kimble, Kolstad, Kvaalen, Lee, Lombardi, Lucas, Lund, Lynch, Mann, Marbut, Marks, Mehrens, Menahan, Norman, Olson, Quilici, Rolfe, Seifert, Smith, Stoltz, Tierney, Turner, Walborn, Warfield. Total 49.

Noes: Baeth, Bardanouve, Baucus, Bennetts, Bradley, Colberg, Cotton, Driscoll, Edland, Fasbender, Fleming, Flynn, Greely, Gunderson, Hageman, Halvorson, H. Harper, R. Harper, Holmes, Huennekens, Jacobsen, Kendall, Laas, Lien, Lundgren, McKittrick, Murphy, Prevost, Regan, Roberts, Shelden, Staigmiller, Stephens, Swanberg, Towe, Turman, Ulmer, Watt, Yardley, Zimmer, Mr. Speaker. Total 41.

Excused: Asbjornson, Hall, Mercer, Selstad. Total 4.

Absent or not voting: Brand, Kosena, Lockrem, Manuel, Schepens, Schye. Total 6.

Fasbender moved that House Bills Nos. 905 and 935 be taken from the Committee on Rules and re-referred to the Committee on Constitution, Elections and Federal Relations.

Motion carried.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following bills were introduced, read first time and referred to committees:

Senate Bill No. 240, introduced by Lynch, Sorensen, Nees, Story, McDonald, McKeon: A bill for an act entitled: "An act establishing a sheriffs' retirement system; and providing for the administration and operation thereof." Referred to Committee on State Administration.

Senate Bill No. 481, introduced by Story: A bill for an act entitled: "An act prescribing certain fees to be charged by the Board of Natural Resources and Conservation, and amending Section 89-869, R.C.M. 1947." Referred to Committee on State Administration.

Senate Bill No. 508, introduced by Lowe, Bertsche: A bill for an act entitled: "An act relating to airplanes owned or leased by the State of Montana; requiring the transfer of title of state owned or leased airplanes to the name of the State of Montana; constituting the Division of Aeronautics as custodian of state owned or leased airplanes; and providing for rules and regulations governing the use of state owned or leased airplanes." Referred to Committee on State Administration.

Senate Bill No. 566, introduced by Thiessen, Bertsche: A bill for an act entitled: "An act validating, ratifying, approving and confirming bonds and other instruments or obligations, heretofore issued by public bodies of this state, and all proceedings heretofore taken by such public bodies, to authorize and issue such bonds, instruments and other obligations, however described, and providing that this act may be cited as "The 1974 Bond Validating Act"; containing a repealing clause and providing an effective date." Referred to Committee on Judiciary.

Senate Bill No. 577, introduced by Deschamps, McCallum, Rosell, Hazelbaker: A bill for an act entitled: "An act to amend Section 32-21-122, R.C.M. 1947, requiring safety chains on trailers." Referred to Committee on Highways and Transportation.

Senate Bill No. 581, introduced by Bennett, Drake, Harrison: A bill for an act entitled: "An act to allocate state construction funds to match federal-aid highway funds available for priority primary routes; and providing for the apportionment of such state construction funds." Referred to Committee on Highways and Transportation.

Senate Bill No. 584, introduced by Siderius: A bill for an act entitled: "An act to amend Section 82A-2005, R.C.M. 1947, to clarify instructions to the publishers of the Montana Revised Codes relating to the former Tramway Safety Board." Referred to Committee on Judiciary.

Senate Bill No. 619, introduced by Manning, Moritz: A bill for an act entitled: "An act to amend Section 32-4102, R.C.M. 1947, to allow the State Highway Commission to waive the provisions of Sections 84-3507 and 82-1927, R.C.M. 1947, relating to public contractors working beyond contract when the enforcement of such provisions will result in a reduction of the full benefits of the Federal Highway Act of 1921 and all amendments thereto." Referred to Committee on Highways and Transportation.

Senate Bill No. 667, introduced by Rosell: A bill for an act entitled: "An act to amend Section 66-3211, R.C.M. 1947, to provide that the State Board of Psychologist Examiners may increase the application fee; and to allow an examination fee to be commensurate with cost." Referred to Committee on State Administration.

Senate Joint Resolution No. 65, introduced by Hall, Devine, Keenan, Bennett, Bertsche, Gilfeather, McGowan, Bollinger, Graham, Lynch, Goodheart, James, McDonald, Drake, Harrison: A Joint Resolution of the Senate and the House of Representatives of the State of Montana requesting the National Railroad Passenger Corporation (AMTRAK) and the Postmaster General of the United States to take all necessary and timely steps to institute seven (7) day a week AMTRAK passenger service over all Montana and connecting routes now in operation, institute AMTRAK mail service over all Montana and connecting routes now in operation, and institute a full connecting AMTRAK passenger and mail service on the Burlington Northern and Company and Union Pacific railroad line between Coumts, Canada, Sweet Grass, Montana via Shelby — Great Falls, Helena, Butte, Montana, and Salt Lake City, Utah, thence to Nuevo — Laredo, Mexico, called the Rocky Mountain International. Referred to Committee on Constitution, Elections and Federal Relations.

Senate Joint Resolution No. 67, introduced by Bollinger, Goodheart, Keenan: A Joint Resolution of the Senate and the House of Representatives of the State of Montana requesting the Montana State Department of Institutions to improve hospital space and care to veterans. Referred to Committee on Public Health, Welfare and Safety.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Fasbender moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading under the rules of the previous sitting.

Motion carried.

Baucus in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

February 7, 1974

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That House Bill No. 693 do pass. (66-26)

That House Bill No. 790 be passed for the day.

That House Bill No. 801 be amended in Section 1, page 1, lines 24 and 25 by striking the words: "which will be exported" and inserting in lieu thereof the words: "to export coal" (76-0), and

As amended, do pass. (48-39)

Asbjornson now present.

That House Bill No. 855 do pass. (80-4)

That House Bill No. 861 do not pass. (71-16)

That House Bill No. 971 do pass. (84-2)

That House Bill No. 980 be amended in the title of the introduced bill on page 1, line 8 after the semicolon by striking the word: "and", and

Further amend page 1, line 9 after the word: "exceptions" by striking the punctuation: ".", and inserting in lieu thereof the following new punctuation and material: "; and providing an effective date." (79-0), and

Further amend page 4, line 11 by adding the following new section: "Section 4. This act is effective upon passage and approval." (75-0), and

As amended, do pass. (75-1)

That House Joint Resolution No. 53 do pass. (77-1)

That Senate Bill No. 519 be concurred in. (80-0)

That Senate Bill No. 621 be concurred in. (73-7)

That the committee rise and report.

BAUCUS, Chairman

Report adopted.

THIRD READING OF BILLS

Lockrem and Lucas excused at this time.

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 632 was passed for the day.

House Bill No. 755 was passed by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bradley, Brand, Brown, Castles, Clemow, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Laas, Lee, Lien, Lombardi, Lund, Lundgren, Lynch, Mann, Manuel, Marbut, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Seifert, Shelden, Smith, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 83.

Noes: Burnett, Campbell, Kvaalen, Marks. Total 4.

Excused: Hall, Lockrem, Lucas, Mercer, Selstad. Total 5.

Absent or not voting: Ainsworth, Bell, Bennetts, Colberg, Halvorson, McKittrick, Schepens, Schye. Total 8.

House Bill No. 802 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lombardi, Lund, Lundgren, Lynch, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Seifert, Shelden, Smith, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 90.

Noes: None.

Excused: Hall, Lockrem, Lucas, Mercer, Selstad. Total 5.

Absent or not voting: Colberg, Hubing, McKittrick, Schepens, Schye. Total 5.

House Bill No. 813 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus,

Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Forsgren, Galt, Glennen, Greely, Hageman, Hager, Haines, H. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lombardi, Lund, Lundgren, Lynch, Mann, Manuel, Marbut, Marks, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Seifert, Shelden, Stephens, Stoltz, Swanberg, Tierney, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Zimmer, Mr. Speaker. Total 79.

Noes: Burnett, Flynn, Gunderson, R. Harper, Huennekens, Mehrens, Menahan, Staigmiller, Towe, Yardley. Total 10.

Excused: Hall, Lockrem, Lucas, Mercer, Selstad. Total 5.

Absent or not voting: Colberg, Halvorson, McKittrick, Schepens, Schye, Smith. Total 6.

House Bill No. 858 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bennetts, Bradley, Brand, Campbell, Castles, Clemow, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Glennen, Greely, Gunderson, Haines, R. Harper, Healy, Hodges, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lombardi, Lund, Lynch, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Seifert, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 80.

Noes: Burnett, Galt, Hageman, Hager, H. Harper, Holmes, Jones, Lundgren. Total 8.

Excused: Hall, Lockrem, Lucas, Mercer, Selstad. Total 5.

Absent or not voting: Bell, Brown, Colberg, Halvorson, McKittrick, Schepens, Schye. Total 7.

House Bill No. 870 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bennetts, Bradley, Brand, Burnett, Campbell, Castles, Clemow, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lombardi, Lund, Lynch, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Seifert, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 88.

Noes: Lundgren. Total 1.

Excused: Hall, Lockrem, Lucas, Mercer, Selstad. Total 5.

Absent or not voting: Bell, Brown, Colberg, McKittrick, Schepens, Schye. Total 6.

House Bill No. 886 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Burnett, Campbell, Castles, Clemow, Cotton, Cox, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lombardi, Lund, Lundgren, Lynch, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Seifert, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 88.

Noes: Driscoll, Zimmer. Total 2.

Excused: Hall, Lockrem, Lucas, Mercer, Selstad. Total 5.

Absent or not voting: Brown, Colberg, McKittrick, Schepens, Schye. Total 5.

House Bill No. 894 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lombardi, Lund, Lundgren, Lynch, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Norman, Prevost, Quilici, Regan, Roberts, Rolfe, Seifert, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Zimmer, Mr. Speaker. Total 90.

Noes: None.

Excused: Hall, Lockrem, Lucas, Mercer, Selstad. Total 5.

Absent: Colberg, McKittrick, Olson, Schepens, Schye. Total 5.

House Bill No. 929 was passed by the following vote:

Ayes: Baeth, Bardanouve, Barrett, Baucus, Bennetts, Bradley, Brand, Brown, Cotton, Cox, Driscoll, Fagg, Fasbender, Fleming, Forsgren, Greely, Gunderson, Hageman, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Huennekens, Johnston, Kimble, Kosena, Laas, Lee, Lien, Lombardi, Lynch, Manuel, Marbut, Mehrens, Menahan, Murphy, Norman, Prevost, Quilici, Regan, Roberts, Shelden, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Ulmer, Watt, Yardley, Mr. Speaker. Total 56.

Noes: Aageson, Ainsworth, Asbjornson, Bell, Burnett, Campbell, Castles, Clemow, East, Edland, Ellerd, Flynn, Galt, Glennen, Hager, Holtz, Hubing, Jacobsen, Jones, Kessner, Kolstad, Kvaalen, Lund, Lundgren, Mann, Marks, Olson, Rolfe, Seifert, Smith, Turner, Walborn, Warfield, Zimmer. Total 34.

Excused: Hall, Lockrem, Lucas, Mercer, Selstad. Total 5.

Absent or not voting: Colberg, Kendall, McKittrick, Schepens, Schye. Total 5.

REPORTS OF STANDING COMMITTEES

February 7, 1974

Mr. Speaker: We, your Committee on Rules, having had under consideration House Bill No. 846, respectfully report as follows: That although House Bill No. 846 is designed to accomplish the same purpose as a bill killed in the last session under Joint Rule 6-8, such bills, if considered to be of sufficient impact as to require special consideration, may be introduced on approval by the Rules Committee.

It is our opinion that the mandatory nature of the federal speed limit law, which, if not enacted on a state level could result in significant loss of revenue to the state, is significant enough to require this special consideration and is therefore approved as properly introduced and can be considered by this session of the legislature.

FASBENDER, Chairman

Fasbender moved that the report be adopted and House Bill No. 846 be taken from the Committee on Rules and referred to the Committee on Highways and Transportation.

Motion carried.

February 7, 1974

Mr. Speaker: We, your Committee on State Administration, having had under

consideration House Bill No. 859, respectfully report as follows: That House Bill No. 859 be amended on page 1, Section 1, line 20 before the word: "per" by omitting the material: "thirty-five dollars (\$35)" and inserting in lieu thereof the material: "twenty-five dollars (\$25)", and

As amended, do pass.

BRAND, Chairman

Report adopted.

February 7, 1974

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 869 respectfully report as follows: That House Bill No. 869 do not pass.

BRAND, Chairman

February 7, 1974

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 1041, respectfully report as follows: That House Bill No. 1041 be amended on page 1, Section 1, line 12 after the word: "auditor" by omitting the word: "is" and inserting in lieu thereof the words: "and his employees are", and

Be further amended on page 1, Section 1, line 12 after the word: "designated" by omitting the word: "a", and

Be further amended on page 1, Section 1, line 12 after the word: "bank" by omitting the word: "examiner" and inserting in lieu thereof the word: "examiners", and

Be further amended on page 1, Section 1, line 13 after the word: "and" by omitting the word: "is" and inserting in lieu thereof the word: "are", and

Be further amended on page 1, Section 1, line 14 after the word and punctuation: "1906." by inserting the following new material: "This provision does not affect the rights, duties and obligations of the state bank examiner as set forth in Title 5, R.C.M. 1947, except as to releasing information to the legislative auditor and his employees as herein specified. Provided, however, no officer or employee of the department of business regulation shall be required to release a bank examination report prepared by the federal deposit insurance corporation and federal reserve system.", and

As amended, do pass.

BRAND, Chairman

Report adopted.

February 7, 1974

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 1058, respectfully report as follows: That House Bill No. 1058 be amended on page 3, Section 1, line 25 after the word: "straight" by inserting the words and punctuation: "lying in a horizontal plane.", and

Be further amended on page 10, Section 5, line 13 after the word: "unless", by omitting the word: "equally", and

Be further amended on page 10, Section 5, line 13 after the word: "and" by omitting the word: "proper" and inserting in lieu thereof the word: "reasonable", and

As amended, do pass.

BRAND, Chairman

Report adopted.

February 7, 1974

Mr. Speaker: We, your Committee on Business and Industry, having had under

consideration House Bill No. 1079, respectfully report as follows: That House Bill No. 1079 do not pass.

MEHRENS, Chairman

February 7, 1974

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 1092, respectfully report as follows: That House Bill No. 1092 do not pass.

BRAND, Chairman

February 7, 1974

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Joint Resolution No. 70, respectfully report as follows: That House Joint Resolution No. 70 do not pass.

MEHRENS, Chairman

MOTIONS

Towe moved that House Bill No. 1061 be taken from the Committee on Business and Industry and referred to the Judiciary Committee.

Motion carried.

Fasbender moved that House Bill No. 790 be taken from Second Reading and re-referred to the Committee on State Administration.

Motion carried.

UNFINISHED BUSINESS

The Speaker announced the following committee changes: Gunderson to replace Swanberg on Long-Range Building Committee and Swanberg to be moved to the Committee on Rules.

Fasbender moved that the House adjourn until 1:30 p.m., February 8, 1974.

Motion carried.

House adjourned.

HAROLD E. GERKE, Speaker

EDWIN A. SMITH, Chief Clerk

TWENTY-NINTH LEGISLATIVE DAY

Helena, Montana
February 8, 1974

House Chambers
Capitol Building

House convened at 1:30 p.m., Mr. Speaker in the Chair.

Invocation by Reverend Leonard Watson.

Pledge of Allegiance to the Flag.

Roll call. All members present except Hall, Mercer, Schye, Selstad and Zimmer, all excused.

Quorum present.

Mr. Speaker: We, your Committee on Bills and Journal, having examined the daily journal for the Twenty-eighth Legislative Day, find the same to be correct.

QUILICI, Chairman

REPORTS OF STANDING COMMITTEES

February 8, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly printed: House Bill No. 635, House Bill No. 723, House Bill No. 806, House Bill No. 818, House Bill No. 914, House Bill No. 1052.

QUILICI, Chairman

February 8, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills and resolution considered correctly engrossed: House Bill No. 693, House Bill No. 855, House Bill No. 971, House Joint Resolution No. 53.

QUILICI, Chairman

February 8, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill correctly enrolled: House Bill No. 715.

QUILICI, Chairman

February 8, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: House Bill No. 852, House Bill No. 947, House Bill No. 954.

QUILICI, Chairman

February 8, 1974

I have examined House Bill No. 715 introduced by me and find the same to be correct.

BRAND

February 7, 1974

The following bills were signed in the office of the Speaker of the House of Representatives on February 7, 1974: Senate Bill No. 478, Senate Bill No. 483, Senate Bill No. 527.

EDWIN A. SMITH, Chief Clerk
House of Representatives

February 8, 1974

The following bill will be signed at adjournment on February February 8, 1974, in the office of the Speaker of the House of Representatives: House Bill No. 715.

EDWIN A. SMITH, Chief Clerk
House of Representatives

February 7, 1974

Mr. Speaker: We, your Committee on Highways and Transportation, having had under consideration House Bill No. 351, respectfully report as follows: That House Bill No. 351 do not pass.

LAAS, Chairman

February 7, 1974

Mr. Speaker: We, your Committee on Highways and Transportation, having had under consideration House Bill No. 494, respectfully report as follows: That House Bill No. 494 do not pass.

LAAS, Chairman

February 7, 1974

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having

had under consideration House Bill No. 759, respectfully report as follows: That House Bill No. 759 do pass.

LEE, Chairman

Report adopted.

February 7, 1974

Mr. Speaker: We, your Committee on Highways and Transportation, having had under consideration House Bill No. 868, respectfully report as follows: That House Bill No. 868 do not pass.

LAAS, Chairman

February 7, 1974

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 877, respectfully report as follows: That House Bill No. 877 do pass.

LEE, Chairman

Report adopted.

February 4, 1974

Mr. Speaker: We, your Committee on Labor and Employment Relations, having had under consideration House Bill No. 893, respectfully report as follows: That House Bill No. 893 do not pass.

McKITTRICK, Chairman

February 7, 1974

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 933, respectfully report as follows: That House Bill No. 933 be amended in the title on page 1, lines 4 and 5 after the word: "require" by omitting the words: "hospitals and", and

Be further amended in the title on page 1, line 6 after the word: "to", by omitting the words: "the sheriff of the county" and inserting in lieu thereof the words: "a law enforcement officer", and

Be further amended on page 1, Section 1, lines 9 and 10 after the word: "the" by omitting the words: "administrator of a hospital wherein a victim of a gunshot wound or a stabbing is treated and the", and

Be further amended on page 1, Section 1, line 12 after the word: "a" by adding the word: "written", and

Be further amended on page 1, Section 1, lines 12 and 13 after the word: "to" by omitting the words: "the sheriff of the county where treatment is provided", and inserting in lieu thereof the words: "a law enforcement officer within twenty-four (24) hours after initial treatment or first observation of the wound", and

Be further amended on page 1, Section 1, line 14 after the word: "victim" by inserting the punctuation and words: ", if known, and shall be sent by regular mail", and

Be further amended on page 1, Section 1, following line 14 by adding a new Section 2, which reads as follows: "Section 2. Immunity from liability. A physician reporting pursuant to Section 1 shall be presumed to be acting in good faith and in so doing, shall be immune from any liability, civil or criminal, unless the person acted in bad faith or with malicious purpose.", and

As amended, do pass.

LEE, Chairman

Report adopted.

February 7, 1974

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 944, respectfully report as follows: That House Bill No. 944 be amended on page 1, Section 1, Subsection (1), line 20 after the semicolon, by adding the following new material: "the consent of the attending physician may be withdrawn in the sole discretion of the physician;" and

As amended, do pass.

LEE, Chairman

Report adopted.

February 7, 1974

Mr. Speaker: We, your Committee on Highways and Transportation, having had under consideration House Bill No. 946, respectfully report as follows: That House Bill No. 946 do pass.

LAAS, Chairman

Report adopted.

February 4, 1974

Mr. Speaker: We, your Committee on Labor and Employment Relations, having had under consideration House Bill No. 990, respectfully report as follows: That House Bill No. 990 be amended on page 1, Section 1, line 21 after the word: "mediation" by adding the following words: "from the federal mediation and conciliation service", and

As amended, do pass.

McKITTRICK, Chairman

Report adopted.

February 7, 1974

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 999, respectfully report as follows: That House Bill No. 999 be amended on page 2, Section 1, line 21 after the word: "who" by omitting the word: "meets", and inserting in lieu thereof the words: "professes or is found to meet", and

Be further amended on page 3, Section 1, Subsection (3), line 5 after the word: "alcohol" by omitting the words: "and nicotine", and

Be further amended on page 3, Section 1, Subsection (3), lines 10 and 11 after the words: "responsibility" by omitting the words: "as the provider of the health service" and inserting in lieu thereof the words: "for treatment", and

Be further amended on page 5, Section 2, Subsection (1)(d), line 9 by deleting the period and adding the punctuation and word: "; or" and adding the following new Subsection (e): "(e) The hospital desires a third party commitment to pay for services rendered or to be rendered.", and

Be further amended on page 5, Section 2, Subsection (1)(d), lines 10, 11, 12 and 13 by deleting the material: "Such information shall be given to the minor's parent, parents, or legal guardian only when the minor consents or when because of the minor's age or condition the attending health professional can reasonably presume such consent.", and

Be further amended on page 5, Section 2, Subsection (2), line 21 after the word: "alcohol" by omitting the words: "and nicotine", and

Be further amended on page 7, Section 4, lines 9 through 16 after the word: "differ." by omitting the material: "(1) If major surgery, general anesthesia, or a life-threatening procedure has to be undertaken on a minor with his consent, it shall be necessary for the physician to obtain approval from another physician for the management except in an emergency in a community where it is impossible for the surgeon to contact any other physician within a reasonable time for the purpose of concurrence.", and

Be further amended on page 7, Section 4, Subsection (2), lines 24 and 25 and page 8, line 1 after the word: "damage." by omitting the material: "For major surgery or any dangerous procedures concurrence of another physician shall, if practical, be obtained.", and

Be further amended on page 8, Section 4, Subsection (4), lines 10 and 11 after the word: "guardians" by omitting the words: "if two (2) physicians agree on" and inserting in lieu thereof the words: "if a physician determines", and

Be further amended on page 8, Section 4, Subsection (4), line 11 after the word: "service" by omitting the word: "to" and inserting in lieu thereof the word: "should", and

Be further amended on page 9, Section 5, Subsection (1), lines 1 through 3, after the word: "judgment." by omitting the material: "They do, however, bear an obligation to refer such a minor to another facility.", and

As amended, do pass.

LEE, Chairman

Report adopted.

February 7, 1974

Mr. Speaker: We, your Committee on Highways and Transportation, having had under consideration House Bill No. 1030, respectfully report as follows: That House Bill No. 1030 do not pass.

LAAS, Chairman

February 7, 1974

Mr. Speaker: We, your Committee on Highways and Transportation, having had under consideration House Bill No. 1087, respectfully report as follows: That House Bill No. 1087 do not pass.

LAAS, Chairman

February 7, 1974

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Joint Resolution No. 65, respectfully report as follows: That House Joint Resolution No. 65 do not pass.

LEE, Chairman

February 7, 1974

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Joint Resolution No. 67, respectfully report as follows: That House Joint Resolution No. 67 do pass.

LEE, Chairman

Report adopted.

February 8, 1974

Mr. Speaker: We, your Committee on Legislative Administration, having had under consideration Senate Bill No. 669, respectfully report as follows: That Senate Bill No. 669 be concurred in.

EDLAND, Chairman

Report adopted.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 648 was adopted by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cox, Driscoll, East, Ellerd, Fagg, Fleming, Flynn, Forsgren, Galt, Glennen, Hageman,

Hager, Haines, Halvorson, R. Harper, H. Harper, Healy, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, McKittrick, Mann, Manuel, Marks, Menahan, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Seifert, Shelden, Smith, Staigmillier, Stephens, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 84.

Noes: Cotton, Edland, Greely, Gunderson, Hodges. Total 5.

Excused: Hall, Mercer, Schye, Selstad. Total 4.

Absent or not voting: Ainsworth, Fasbender, Lynch, Marbut, Mehrens, Stoltz, Zimmer. Total 7.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 565 was adopted by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, Edland, Ellerd, Fagg, Fasbender, Flynn, Forsgren, Galt, Glennen, Greely, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnson, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, McKittrick, Mann, Manuel, Marbut, Marks, Menahan, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Seifert, Shelden, Smith, Staigmillier, Stephens, Swanberg, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 88.

Noes: Tierney. Total 1.

Excused: Hall, Mercer, Schye, Selstad. Total 4.

Absent or not voting: East, Fleming, Gunderson, Lynch, Mehrens, Stoltz, Zimmer. Total 7.

In accordance with the 24 hour rule, the adverse committee report on House Bill NO. 869 was adopted by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Bardanouve, Barrett, Baucus, Brand, Campbell, Castles, Clemow, Colberg, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Holtz, Hubing, Jacobsen, Johnston, Jones, Kessner, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, McKittrick, Mann, Manuel, Marbut, Mehrens, Menahan, Norman, Olson, Prevost, Quilici, Regan, Roberts, Schepens, Seifert, Shelden, Smith, Staigmillier, Stephens, Stoltz, Swanberg, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 77.

Noes: Baeth, Bell, Bennetts, Bradley, Brown, Burnett, Cotton, Hodges, Holmes, Huennekens, Kendall, Kimble, Kolstad, Marks, Murphy, Rolfe, Tierney. Total 16.

Excused: Hall, Mercer, Schye, Selstad. Total 4.

Absent or not voting: Fasbender, Lynch, Zimmer. Total 3.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 903 was adopted by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Lee, Lockrem, Lombardi, Lucas, Lund, Lundgren, McKittrick, Mann, Manuel, Marks, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Regan, Roberts, Rolfe, Schepens, Seifert, Shelden, Smith, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 87.

Noes: Hager, Walborn. Total 2.

Excused: Hall, Mercer, Schye, Selstad. Total 4.

Absent or not voting: Fasbender, Laas, Lien, Lynch, Marbut, Quilici, Zimmer. Total 7.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 956 was adopted by the following vote:

Ayes: Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Quilici, Regan, Rolfe, Schepens, Seifert, Shelden, Smith, Staigmilller, Stephens, Stoltz, Swanberg, Towe, Turman, Turner, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 86.

Noes: Ageson, Brown, Hodges, Kolstad, Tierney, Ulmer. Total 6.

Excused: Hall, Mercer, Schye, Selstad. Total 4.

Absent or not voting: Fasbender, Lynch, Roberts, Zimmer. Total 4.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 1,079 was adopted by the following vote:

Ayes: Asbjornson, Baeth, Barrett, Bell, Brown, Burnett, Campbell, Castles, Clemow, Cox, East, Flynn, Forsgren, Halvorson, Healy, Holmes, Holtz, Hubing, Johnston, Jones, Kendall, Kessner, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, McKittrick, Marks, Mehrens, Menahan, Olson, Prevost, Quilici, Schepens, Shelden, Smith, Stephens, Swanberg, Tierney, Turner, Ulmer, Walborn, Watt, Mr. Speaker. Total 50.

Noes: Ageson, Ainsworth, Bardanouve, Baucus, Bennetts, Bradley, Brand, Colberg, Cotton, Driscoll, Edland, Ellerd, Fagg, Fleming, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, H. Harper, R. Harper, Hodges, Huennekens, Jacobsen, Kimble, Kolstad, Mann, Manuel, Marbut, Murphy, Norman, Regan, Roberts, Rolfe, Seifert, Staigmilller, Stoltz, Towe, Turman, Warfield, Yardley. Total 43.

Excused: Hall, Mercer, Schye, Selstad. Total 4.

Absent or not voting: Fasbender, Lynch, Zimmer. Total 3.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 1,092 was adopted by the following vote:

Ayes: Ageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halverson, H. Harper, R. Harper, Healy, Hodges, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, McKittrick, Mann, Manuel, Marbut, Marks, Menahan, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Seifert, Shelden, Smith, Staigmilller, Stephens, Stoltz, Swanberg, Tierney, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 87.

Noes: Bell, Cotton, Towe. Total 3.

Excused: Hall, Mercer, Schye, Selstad. Total 4.

Absent or not voting: Fasbender, Holmes, Kimble, Lynch, Mehrens, Zimmer. Total 6.

In accordance with the 24 hour rule, the adverse committee report on House Joint Resolution No. 70 was passed by the following vote:

Ayes: Ageson, Asbjornson, Baeth, Bardanouve, Barrett, Bell, Burnett, Campbell, Castles, Clemow, Cox, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Haines, Halvorson, Healy, Holmes, Holtz, Hubing, Jacobsen, Johnston, Jones, Kendall, Kessner, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, McKittrick, Mann, Manuel, Marks, Mehrens, Menahan, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Seifert, Shelden, Smith, Staigmiller, Stephens, Swanberg, Tierney, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Mr. Speaker. Total 73.

Noes: Baucus, Bennetts, Bradley, Brand, Brown, Cotton, Driscoll, H. Harper, R. Harper, Hodges, Huennekens, Marbut, Murphy, Stoltz, Towe. Total 15.

Excused: Hall, Mercer, Schye, Selstad. Total 4.

Absent or not voting: Ainsworth, Colberg, Hageman, Hager, Kimble, Lynch, Yardley, Zimmer. Total 8.

Objection raised by Burnett on adverse committee report on House Bill No. 917. Referred to Second Reading.

Objection raised by Rolfe on adverse committee report on House Joint Resolution No. 65. Referred to Second Reading.

February 8, 1974

Mr. Speaker: We, your Committee on Local Government, having had under consideration House Bill No. 657, respectfully report as follows: That House Bill No. 657 be amended in House Bill No. 657 on page 2, Section 1, lines 18 through 24 by striking Subsection (2)(c)(ii) in its entirety and inserting in lieu thereof the following new subsection: "(II) In first and second class counties, the county commissioners and governing body of the city, or cities, may mutually agree upon the division of the expenses. The county part of total expenses is financed by a special levy of not more than five (5) mills on the taxable valuation of all property outside the incorporated limits of the city, or cities, participating in the city-county board after approval of a budget in the way provided for other county offices and departments under chapter 19, title 16, R.C.M. 1947. If the five (5) mill levy is not sufficient to fund the county share, county commissioners may supplement it with an appropriation from the county general fund. Each city, or cities, part of total costs is financed by a special levy of not more than five (5) mills on the taxable valuation of all property within the incorporated limits of the city, or cities, participating in the city-county board after approval of a budget in the way provided for other city offices and departments under chapter 14, title 11, R.C.M. 1947. All moneys shall be deposited with the county treasurer who shall disburse them as county funds. The special levies authorized by this subsection are in addition to all other levies authorized by law.", and

As amended, do pass.

KOSENA, Chairman

Report adopted.

February 8, 1974

Mr. Speaker: We, your Committee on Local Government, having had under consideration House Bill No. 803, respectfully report as follows: That House Bill No. 803 do not pass.

KOSENA, Chairman

February 8, 1974

Mr. Speaker: We, your Committee on Taxation, having had under consideration House Bill No. 820, respectfully report as follows: That House Bill No. 820 be amended on page 6, Section 1, line 17 after the word and punctuation: "categories," by striking the words: "valued at" and inserting in lieu thereof the words: "with a market value of", and

Be further amended on page 6, Section 1, line 18 after the word: "thousand"

by omitting the words: "twenty-three thousand" and inserting in lieu thereof the words: "seventeen thousand", and

Be further amended on page 6, Section 1, line 19 after the word and figure: "dollars (\$17,500)" by omitting the figure: "(\$23,500)" and inserting in lieu thereof the figure: "(\$17,500)", and

Be further amended on page 8, Section 1, line 14 after the word and punctuation: "board," by inserting the words: "with or", and

As amended, do pass.

WATT, Chairman

Report adopted.

February 8, 1974

Mr. Speaker: We, your Committee on Taxation, having had under consideration House Bill No. 830, respectfully report as follows: That House Bill No. 830 do pass.

WATT, Chairman

Report adopted.

February 8, 1974

Mr. Speaker: We, your Committee on Local Government, having had under consideration House Bill No. 867, respectfully report as follows: That House Bill No. 867 do pass.

KOSENSA, Chairman

Report adopted.

February 8, 1974

Mr. Speaker: We, your Committee on Taxation, having had under consideration House Bill No. 994, respectfully report as follows: That House Bill No. 994 do pass.

WATT, Chairman

Report adopted.

February 8, 1974

Mr. Speaker: We, your Committee on Local Government, having had under consideration House Joint Resolution No. 77, respectfully report as follows: That House Joint Resolution No. 77 do pass.

KOSENSA, Chairman

Report adopted.

February 8, 1974

Mr. Speaker: We, your Committee on Local Government, having had under consideration House Resolution No. 53, respectfully report as follows: That House Resolution No. 53 do pass.

KOSENSA, Chairman

Report adopted.

February 8, 1974

Mr. Speaker: We, your Committee on Local Government, having had under consideration Senate Bill No. 491, respectfully report as follows: That Senate Bill No. 491 be concurred in.

KOSENSA, Chairman

Report adopted.

February 8, 1974

Mr. Speaker: We, your Committee on Local Government, having had under consideration Senate Bill No. 492, respectfully report as follows: That Senate Bill No. 492 be concurred in.

KOSENSA, Chairman

Report adopted.

February 8, 1974

Mr. Speaker: We, your Committee on Local Government, having had under consideration Senate Bill No. 552, respectfully report as follows: That Senate Bill No. 552 be amended in Senate Bill 552, Third Reading, page 1, Section 1, line 20 after the word: "receive" by inserting the words: "compensation of", and

Be further amended in Senate Bill 552, Third Reading, page 1, line 25 by striking "per diem" and inserting in lieu thereof the word: "compensation", and

Be further amended in Senate Bill 552, Third Reading, page 2, line 7 by striking the words: "in the courthouse.", and

As amended, be concurred in.

KOSENSA, Chairman

Report adopted.

February 8, 1974

Mr. Speaker: We, your Committee on Local Government, having had under consideration Senate Bill No. 607, respectfully report as follows: That Senate Bill No. 607 be concurred in.

KOSENSA, Chairman

Report adopted.

REPORTS OF SELECT COMMITTEES

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 133 was adopted by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Bardanouve, Barrett, Baucus, Bell, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fasbender, Fleming, Flynn, Forsgren, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Healy, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kolstad, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Mann, Manuel, Marks, Mehrens, Menahan, Murphy, Olson, Prevost, Quilici, Roberts, Rolfe, Schepens, Seifert, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Towe, Turner, Ulmer, Walborn, Warfield, Yardley, Mr. Speaker. Total 73.

Noes: Bennetts, Bradley, Brand, Fagg, H. Harper, R. Harper, Hodges, Holmes, Kimble, Marbut, Norman, Regan, Tierney, Turman, Watt. Total 15.

Excused: Hall, Mercer, Schye, Selstad. Total 4.

Absent or not voting: Baeth, Brown, Galt, Halvorson, Kosena, Lynch, McKittrick, Zimmer. Total 8.

MESSAGES FROM THE OTHER HOUSE

February 7, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was this day read three times and concurred in as amended, title and history agreed to and the said bill is herewith returned to the House for concurrence in Senate amendments:

House Bill No. 645 introduced by Bell

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

February 7, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read three times and concurred in, titles and history agreed to and the said bills are herewith returned to the House:

House Bill No. 687 introduced by Cox

House Bill No. 743 introduced by Flynn and Tierney

House Bill No. 754 introduced by Aageson, Glennen, et al

House Bill No. 872 introduced by Driscoll

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

February 7, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bills and Resolution were this day read three several times, and passed, titles and history agreed to, and the bills and resolution are herewith transmitted to the House for concurrence:

Senate Bill No. 347 introduced by Bollinger and Zody

Senate Bill No. 530 introduced by Lowe, Manning, et al

Senate Bill No. 545 introduced by Hazelbaker

Senate Bill No. 585 introduced by McCallum, Deschamps, and Rosell

Senate Bill No. 590 introduced by James

Senate Bill No. 604 introduced by McGowan, Graham, et al

Senate Bill No. 605 introduced by James

Senate Bill No. 654 introduced by Drake and McGowan

Senate Bill No. 698 introduced by Moritz, Lowe and Manning

Senate Joint Resolution No. 56 introduced by Boylan, Romney, et al

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

MOTIONS

Fasbender moved that House Bills Nos. 932 and 1048 be taken from the Committee on Rules and re-referred to the Committee on Local Government, and that House Bill No. 733 be taken from the Committee on Rules and re-referred to the Committee on Education.

Motion carried.

Kvaalen moved that House Bill No. 627 be taken from the Committee on Finance and Claims and referred to the Committee on Long Range Building.

Motion carried.

Watt moved that House Bill No. 399 be taken from the Committee on Finance and Claims and referred to the Committee on Taxation.

Motion carried.

Fleming moved that Senate Bill No. 507 be taken from the Committee on Taxation and referred to the Committee on Agriculture, Livestock and Irrigation.

Motion carried.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following bills were introduced, read first time and referred to committees:

Senate Bill No. 692, introduced by Sorensen, Northey, Lowe, Harrison, Moritz, Hazelbaker, Hall, Graham, Bollinger, DeWolfe, McGowan, Goodheart, James: A bill for an act entitled: "An act amending Section 31-117, R.C.M. 1947, to provide for civilian drivers' license examiners; and providing an effective date." Referred to Committee on Highways and Transportation.

House Bill No. 1110, introduced by Lien, Lucas, Ulmer, Cotton, Gunderson, Fleming, Hubing, East, Edland: A bill for an act entitled: "An act appropriating seven hundred thousand dollars (\$700,000) from the general fund to the Department of Intergovernmental Relations for funding the purchase and operation of state-owned aircraft for the biennium ending June 30, 1975." Referred to Committee on Finance and Claims.

House Bill No. 1111, introduced by Watt, Marbut, Norman, Kimble, Haines, Bell, Halvorson: A bill for an act entitled: "An act appropriating two hundred thousand dollars (\$200,000) to the State Bicentennial Commission for a two (2) year period for distribution to county bicentennial committees on the basis of need; and providing an effective date." Referred to Committee on Finance and Claims.

House Bill No. 1112, introduced by Bradley, Baucus, Forsgren, Warfield: A bill for an act entitled: "An act to appropriate moneys to the University of Montana and to Montana State University for the biennium ending June 30, 1975; and providing for other matters relating to the appropriations." Referred to Committee on Finance and Claims.

House Resolution No. 55, introduced by Brand, Laas, Marbut, Fasbender, Fagg: A Resolution of the House of Representatives of the State of Montana requesting the Civil Aeronautics Board of the Department of Transportation to establish regulations which would provide for continued air service during periods when an airline providing sole service is shutdown; and requesting the Montana congressional delegation to support H.R. 3282 and S. 1665, bills which would abolish mutual aid pacts among airlines. Referred to Committee on State Administration.

Senate Bill No. 347, introduced by Bollinger, Zody: A bill for an act entitled: "An act amending Section 23-3005, R.C.M. 1947, by providing that registrars' offices must be open from 8 A.M. continuously until 8 P.M. on the last day of registration, including Saturday, Sunday or any legal holiday." Referred to Committee on Constitution, Elections and Federal Relations.

Senate Bill No. 530, introduced by Lowe, Manning, Broeder, Cochrane: A bill for an act entitled: "An act to amend Section 84-3505, R.C.M. 1947, pertaining to the public contractors' license fee, by providing that the additional license fee shall be computed upon the basis of the entire contract, and shall be withheld from payments due to the general contractor, who may, in turn, withhold from payments to his sub-contractors their portion of the additional license fee as computed thereunder." Referred to Committee on Business and Industry.

Senate Bill No. 545, introduced by Hazelbaker: A bill for an act entitled: "An act to provide for licensing and regulating private investigators and private patrol operators and to safeguard the interests of the public." Referred to Committee on Business and Industry.

Senate Bill No. 585, introduced by McCallum, Deschamps, Rosell: A bill for an act entitled: "An act to amend Section 26-504, R.C.M. 1947, to authorize the use of snare traps for the purpose of snaring animals or birds only in accordance with Fish and Game regulations and deleting reference to anchors." Referred to Committee on Fish and Game.

Senate Bill No. 590, introduced by James: A bill for an act entitled: "An act

to authorize the expenditure of federal and state funds by resolution of the Board of County Commissioners." Referred to Committee on Local Government.

Senate Bill No. 604, introduced by McGowan, Graham, Broeder, Mathers: A bill for an act entitled: "An act to amend Section 62-508, R.C.M. 1947, to clarify the Board of Horse Racing's authority to assess penalties against persons violating the rules of horse racing; and providing an effective date." Referred to Committee on State Administration.

Senate Bill No. 605, introduced by James: A bill for an act entitled: "An act to amend Section 66-1506, R.C.M. 1947, to provide that the Board of Pharmacists shall increase the fee for registration by reciprocity." Referred to Committee on State Administration.

Senate Bill No. 654, introduced by Drake, McGowan: A bill for an act entitled: "An act to amend Section 50-704, R.C.M. 1947, to provide that point or points of work may be performed upon a patented claim." Referred to Committee on Natural Resources.

Senate Bill No. 698, introduced by Moritz, Lowe, Manning, Sorensen, Darrow: A bill for an act entitled: "An act to allocate state construction funds to match federal-aid highway funds available for safety construction programs; and providing an effective date." Referred to Committee on Highways and Transportation.

Senate Joint Resolution No. 56, introduced by Boylan, Romney, Deschamps, Darrow, Sorensen, Story, James: A Joint Resolution of the Senate and the House of Representatives of the State of Montana amending Joint Rule 6-6 to require the name of an executive department requesting introduction of a bill to be printed on the bill. Referred to Committee on Rules.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Fasbender moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading under the rules of the previous sitting.

Motion carried.

Walborn in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

February 8, 1974

Mehrens excused at this time.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That House Bill No. 765 do pass. (60-20)

That House Bill No. 871 be amended on page, line 8 following the word, number and punctuation: "Section 1." by inserting the words: "Interim zoning ordinances — when permitted — duration." (80-0), and

As amended, do pass. (75-1)

That House Bill No. 884 do pass. (62-30)

That House Bill No. 934 be passed to the bottom of the board.

That House Bill No. 989 do pass. (78-3)

That House Bill No. 1043 do not pass. (69-22)

That House Bill No. 1045 be amended in the title, page 1, line 7 by inserting after the word: "nonresident" the words: "and resident" (50-26)

A roll call vote was requested by Huennekens, with the Ayes and Nays spread on the Journal. Sufficient seconds arose and the motion to amend the body of the bill to increase resident fees failed by the following roll call vote:

Ayes: Aageson, Ainsworth, Baucus, Bennetts, Bradley, Colberg, Cotton, Cox, Driscoll, Ellerd, Fagg, Fleming, Flynn, Glennen, Greely, Hager, Halvorson, R. Harper, Healy, Hodges, Holmes, Huennekens, Jacobsen, Kimble, Kolstad, Kosena, Lee, Lombardi, Lynch, McKittrick, Menahan, Murphy, Norman, Regan, Schepens, Shelden, Stephens, Swanberg, Towe, Turman, Watt, Yardley. Total 42.

Noes: Asbjornson, Baeth, Barrett, Bell, Brown, Burnett, Campbell, Castles, Clemow, East, Fasbender, Forsgren, Gunderson, Hageman, Haines, H. Harper, Holtz, Hubing, Johnston, Jones, Kendall, Kessner, Kvaalen, Laas, Lien, Lockrem, Lucas, Lund, Lundgren, Mann, Manuel, Marks, Prevost, Rolfe, Seifert, Smith, Staigmilller, Stoltz, Tierney, Turner, Ulmer, Walborn, Warfield. Total 43.

Excused: Hall, Mehrens, Mercer, Schye, Selstad, Zimmer. Total 6.

Absent or not voting: Bardanouve, Brand, Edland, Galt, Gerke, Marbut, Olson, Quilici, Roberts. Total 9.

Further amend the title by deleting the words "and resident" following the word "nonresident" on page 1, in line 7 (80-1), and

As amended, do not pass. (47-41)

That House Joint Resolution No. 57 do pass. (78-2)

That House Joint Resolution No. 68 do pass. (70-9)

That House Bill No. 934 be amended in the title, page 1, line 9 of the original bill by omitting the word "second" and inserting in lieu thereof the word "fourth", and

Further amend the title on page 1, line 10 by omitting the word "September" and inserting in lieu thereof the word "July" (70-6), and

Further amend Section 1, Subsection (4), page 2, line 5 of the introduced bill by omitting the word "second" and inserting in lieu thereof the word "fourth" and by omitting the word "September" and inserting in lieu thereof the word "July" (64-12), and

As amended, do not pass. (45-39)

That the committee rise and report.

WALBORN, Chairman

Report adopted.

THIRD READING OF BILLS

Quilici excused at this time.

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 600 was passed by the following vote:

Ayes: Aageson, Ainsworth, Baeth, Baucus, Bell, Bradley, Brand, Brown, Castles, Colberg, Cotton, Cox, Driscoll, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Greely, Gunderson, Hageman, Hager, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Huennekens, Jacobsen, Johnston, Kendall, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lombardi, Lucas, Lund, Lynch, McKittrick, Mann, Manuel, Marbut, Menahan, Murphy, Norman, Prevost, Regan, Schepens, Shelden, Staigmilller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 69.

Noes: Asbjornson, Barrett, Burnett, Campbell, Clemow, Glennen, Haines, Hubing, Kessner, Lockrem, Lundgren, Marks, Olson, Rolfe, Seifert, Smith, Turner, Walborn. Total 18.

Paired: Marbut, Aye; Smith, Nay.

Excused: Hall, Mehrens, Mercer, Quilici, Schye, Selstad, Zimmer. Total 7.

Absent or not voting: Bardanouve, Bennetts, East, Galt, Jones, Roberts. Total 6.

Fasbender moved that House Bill No. 632 be held on Third Reading pending preparation of a fiscal note.

Motion carried.

House Bill No. 774 was passed by the following vote:

Ayes: Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Glennen, Greely, Gunderson, Hageman, Hager, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manner, Manuel, Marbut, Menahan, Murphy, Norman, Prevost, Regan, Rolfe, Schepens, Seifert, Shelden, Staigmilller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Warfield, Watt, Yardley, Mr. Speaker. Total 79.

Noes: Aageson, Burnett, East, Holtz, Hubing, Kolstad, Marks, Olson, Smith, Ulmer. Total 10.

Paired: Marbut, Aye; Smith, Nay.

Excused: Hall, Mehrens, Mercer, Quilici, Schye, Selstad, Zimmer. Total 7.

Absent or not voting: Galt, Haines, Roberts, Walborn. Total 4.

House Bill No. 880 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Glennen, Hageman, Hager, Halvorson, H. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, Mann, Manuel, Marks, Menahan, Murphy, Norman, Olson, Prevost, Rolfe, Schepens, Seifert, Smith, Staigmilller, Stephens, Stoltz, Towe, Turman, Turner, Ulmer, Warfield, Yardley, Mr. Speaker. Total 77.

Noes: Burnett, Cotton, Greely, Gunderson, R. Harper, McKittrick, Regan, Swanberg, Tierney, Watt. Total 10.

Excused: Hall, Mehrens, Mercer, Quilici, Schye, Selstad, Zimmer. Total 7.

Absent or not voting: Galt, Haines, Marbut, Roberts, Shelden, Walborn. Total 6.

House Bill No. 927 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Glennen, Greely, Gunderson, Hageman, Hager, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marks, Menahan, Murphy, Norman, Olson, Prevost, Quilici, Regan, Rolfe, Schepens, Seifert, Shelden, Smith, Staigmilller, Stephens, Stoltz, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 86.

Noes: Burnett. Total 1.

Paired: Quilici, Aye; Burnett, Nay.

Excused: Hall, Mehrens, Mercer, Schye, Selstad, Zimmer. Total 6.

Absent or not voting: Colberg, Galt, Haines, Marbut, Roberts, Swanberg, Walborn. Total 7.

House Bill No. 942 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Glennen, Greely, Gunderson, Hageman, Hager, Haines, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marks, Menahan, Murphy, Norman, Prevost, Regan, Roberts, Rolfe, Schepens, Seifert, Shelden, Staigmiller, Stephens, Stoltz, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Yardley, Mr. Speaker. Total 84.

Noes: Olson. Total 1.

Paired: Roberts, Aye; Olson, Nay.

Excused: Hall, Mehrens, Mercer, Quilici, Schye, Selstad, Zimmer. Total 7.

Absent or not voting: Colberg, Galt, Halvorson, Marbut, Smith, Swanberg, Walborn, Watt. Total 8.

House Bill No. 966 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marks, Menahan, Murphy, Norman, Olson, Prevost, Regan, Rolfe, Schepens, Seifert, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 88.

Noes: None.

Excused: Hall, Mehrens, Mercer, Quilici, Schye, Selstad, Zimmer. Total 7.

Absent or not voting: Colberg, Galt, Marbut, Roberts, Walborn. Total 5.

House Bill No. 1083 was passed by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Cotton, Cox, Driscoll, Edland, Fagg, Fasbender, Fleming, Flynn, Forsgren, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Huennekens, Jacobsen, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, Mann, Manuel, Marks, Menahan, Murphy, Norman, Olson, Prevost, Regan, Rolfe, Schepens, Seifert, Shelden, Staigmiller, Stoltz, Swanberg, Towe, Turman, Ulmer, Watt, Yardley, Mr. Speaker. Total 74.

Noes: Ainsworth, Burnett, Clemow, East, Hubing, Johnston, Jones, McKittrick, Stephens, Tierney, Turner, Warfield. Total 12.

Excused: Hall, Mehrens, Mercer, Quilici, Schye, Selstad, Zimmer. Total 7.

Absent or not voting: Colberg, Ellerd, Galt, Marbut, Roberts, Smith, Walborn. Total 7.

House Bill No. 1086 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brown, Burnett, Campbell, Castles, Clemow, Cotton, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kvaalen, Laas, Lee, Lien, Lombardi, Lucas, Lund, Lundgren,

Lynch, McKittrick, Mann, Manuel, Marks, Menahan; Murphy, Norman, Olson, Prevost, Regan, Rolfe, Schepens, Seifert, Shelden, Smith, Staigmilller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 82.

Noes: Brand, Cox, Driscoll, Hodges, Lockrem. Total 5.

Excused: Hall, Mehrens, Mercer, Quilici, Schye, Selstad, Zimmer. Total 7.

Absent or not voting: Colberg, Galt, Kosena, Marbut, Roberts, Walborn. Total 6.

House Bill No. 1095 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bennetts, Bradley, Brown, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Huennekens, Jacobsen, Johnston, Kendall, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lombardi, Lucas, Lund, Lynch, Mann, Manuel, Menahan, Murphy, Norman, Regan, Rolfe, Schepens, Seifert, Shelden, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Watt, Mr. Speaker. Total 69.

Noes: Bell, Brand, Burnett, Campbell, East, Hubing, Jones, Kessner, Lockrem, Marks, Olson, Prevost, Smith, Staigmilller, Turner, Ulmer, Warfield. Total 17.

Excused: Hall, Mehrens, Mercer, Quilici, Schye, Selstad, Zimmer. Total 7.

Absent or not voting: Galt, Lundgren, McKittrick, Marbut, Roberts, Walborn, Yardley. Total 7.

House Joint Resolution No. 52 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marks, Menahan, Murphy, Norman, Olson, Prevost, Regan, Rolfe, Schepens, Seifert, Shelden, Smith, Staigmilller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Mr. Speaker. Total 87.

Noes: None.

Excused: Hall, Mehrens, Mercer, Quilici, Schye, Selstad, Zimmer. Total 7.

Absent or not voting: East, Galt, Marbut, Roberts, Walborn, Yardley. Total 6.

House Joint Resolution No. 56 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lund, Lundgren, Lynch, Mann, Manuel, Marks, Menahan, Murphy, Olson, Regan, Rolfe, Schepens, Seifert, Shelden, Smith, Staigmilller, Stephens, Stoltz, Tierney, Towe, Turman, Turner, Warfield, Watt, Yardley, Mr. Speaker. Total 82.

Noes: Kessner, Lucas, McKittrick, Prevost, Swanberg, Ulmer. Total 6.

Excused: Hall, Mehrens, Mercer, Quilici, Schye, Selstad, Zimmer. Total 7.

Absent or not voting: Galt, Marbut, Norman, Roberts, Walborn. Total 5.

Senate Bill No. 519 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Glennen, Greely, Gunderson, Hageman, Hager, Halvorson, H. Harper, R. Harper, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marks, Menahan, Murphy, Norman, Olson, Prevost, Regan, Rolfe, Schepens, Shelden, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 84.

Noes: Haines, Lombardi, Smith. Total 3.

Excused: Hall, Mehrens, Mercer, Quilici, Schye, Selstad, Zimmer. Total 7.

Absent or not voting: Galt, Healy, Marbut, Roberts, Seifert, Walborn. Total 6.

Senate Bill No. 621 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marks, Menahan, Murphy, Norman, Prevost, Regan, Rolfe, Schepens, Shelden, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 86.

Noes: None.

Excused: Hall, Mehrens, Mercer, Quilici, Schye, Selstad, Zimmer. Total 7.

Absent or not voting: Galt, Marbut, Olson, Roberts, Seifert, Smith, Walborn. Total 7.

REPORTS OF STANDING COMMITTEES

February 8, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill correctly engrossed: House Bill No. 801.

FLEMING, Chairman

February 8, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly printed: House Bill No. 830, House Bill No. 867.

FLEMING, Chairman

February 8, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill correctly engrossed: House Bill No. 980.

FLEMING, Chairman

February 8, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill considered correctly engrossed: House Bill No. 884.

FLEMING, Chairman

February 8, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly printed: House Bill No. 849, House Bill No. 859, House Bill No. 866, House Bill No. 899, House Bill No. 955.

FLEMING, Chairman

February 8, 1974

Mr. Speaker: We, your Committee on Taxation, having had under consideration House Bill No. 962, respectfully report as follows: That House Bill No. 962 be amended on page 1, line 11 by striking Section 1 in its entirety, and inserting in lieu thereof the following new Section 1: "Section 1. Ten percent (10%) gross receipts tax imposed. (1) In addition to any license fees or taxes imposed by the Montana Gaming Control Act or any other gambling law of this or any other state or the federal government, each person or partnership holding a license to conduct or permit to be conducted any authorized gambling game, or offer for play any authorized gaming device in this state shall pay to the department of revenue, quarterly, a tax equal to ten percent (10%) of the gross receipts realized by the licensee from the conducting or permitting of such gambling games or the offering for play of such gaming devices.

(2) For purposes of this act, 'gross receipts' means all of the money or other items of value which the licensee receives directly from the conducting or permitting of gambling games or from the offering for play of gaming devices, before the deduction of any expenses, exemptions, credits or the like but after deducting payments for winnings (payments dependent upon the play of the game) actually paid.", and

Further amend on page 2, Section 2, beginning on line 8 by striking the word: "income" and inserting in lieu thereof the word: "receipts", and

Be further amended on page 3, Section 3, line 4 after the word: "delinquent" by striking the word: "upon" and inserting in lieu thereof the word: "in", and

Be further amended on page 3, Section 3, line 4 after the word: "shall" by inserting the punctuation: ",", and

Be further amended on page 3, Section 3, beginning on line 5 by striking the word: "automatically" and inserting in lieu thereof the words and punctuation: "upon proper notice and hearing.", and

Be further amended on page 3, after Section 4, by inserting the following new Section 5: "Section 5. Licensee to report gross receipts — penalty for failure to report. (1) Each licensee shall report to the department, upon forms provided by the department, itemized accounts of all the gross receipts received by the licensee for the conducting or permitting of gambling games or the offering for play of gaming devices, along with the taxes due for that quarter.

(2) Each licensee shall keep records of all money or other items of value he receives from the conducting or permitting of gambling games or the offering for play of gaming devices, separate from the other records of his business.

(3) The department of revenue may at any time inspect the records of a licensee provided for in subsection (2) of this section.

(4) Failure to keep proper records as provided by subsection (2) of this section and by regulations of the department, made pursuant to this act, is grounds for suspension of the license of the licensee.", and

Be further amended on page 3, after the new Section 5, by inserting the following new Section 6: "Section 6. Penalties for violation of act. (1) Deliberate failure to keep or falsification of the records provided for by this act or failure to pay the tax required is a misdemeanor punishable by imprisonment in the county jail for not more than one (1) year or a fine of either not more than ten thousand dollars (\$10,000) or not more than five (5) times the amount of the gross receipts deliberately not reported or falsely reported, whichever is greater, or both fine and imprisonment.

(2) In addition to the penalties provided for in subsection (1), the department of revenue may suspend or revoke the license of any licensee whom the department determines, after notice and hearing, has willfully or intentionally violated the provisions of this act.", and

Be further amended on page 3, after the new Section 6, by inserting the following new Section 7: "Section 7. All proceeds collected under this act will be deposited in the general fund.", and

As amended, do pass.

WATT, Chairman

Report adopted.

February 8, 1974

Mr. Speaker: We, your Committee on Rules, having had under consideration House Bill No. 831, respectfully report as follows: That House Bill No. 831 be rejected as it is designed to accomplish the same purpose as House Bill No. 121 which was killed in the last session and is therefore, improperly introduced under Joint Rule 6-8 and cannot be considered during this session.

FASBENDER, Chairman

Report adopted.

February 8, 1974

Mr. Speaker: We, your Committee on Rules, having had under consideration House Bill No. 897, respectfully report as follows: That House Bill No. 897 be rejected as it is designed to accomplish the same purpose as House Bill No. 432 which was killed in the last session and is therefore, improperly introduced under Joint Rule 6-8 and cannot be considered during this session.

FASBENDER, Chairman

Report adopted.

February 8, 1974

Mr. Speaker: We, your Committee on Rules, having had under consideration House Bill No. 1063, respectfully report as follows: That House Bill No. 1063 be rejected as it is designed to accomplish the same purpose as Senate Bill No. 280 which was killed in the last session and is therefore, improperly introduced under Joint Rule 6-8 and cannot be considered during this session.

FASBENDER, Chairman

Report adopted.

February 8, 1974

Mr. Speaker: We, your Committee on Rules, having had under consideration House Joint Resolution No. 46, respectfully report as follows: That House Joint Resolution No. 46 be rejected as it is designed to accomplish the same purpose as House Joint Resolution No. 19 which was killed in the last session and is therefore, improperly introduced under Joint Rule 6-8 and cannot be considered during this session.

FASBENDER, Chairman

Report adopted.

MESSAGES FROM THE GOVERNOR

February 8, 1974

Honorable Harold Gerke
Speaker of the House of Representatives
Capitol
Helena, Montana

Dear Mr. Speaker:

I have the honor to inform you that I have this day approved House Bill No. 845.

Sincerely,

THOMAS L. JUDGE
Governor

cc: Honorable Gordon McOmber

MOTIONS

Fasbender moved that House Bill No. 952 be taken from the Committee on Local Government and referred to the Committee on Taxation.

Motion carried.

Laas moved that House Bill No. 494 be returned to the Committee on Highways and Transportation.

Motion carried.

Fasbender moved that the House adjourn until 12:00 noon, February 9, 1974.

Motion carried.

House adjourned.

HAROLD E. GERKE, Speaker

EDWIN A. SMITH, Chief Clerk

THIRTIETH LEGISLATIVE DAY

Helena, Montana
February 9, 1974

House Chambers
Capitol Building

House convened at 12:00 noon, Mr. Speaker in the Chair.

Invocation by the Chaplain.

Pledge of Allegiance to the Flag.

Roll call. All members present except Burnett, Hageman, Mercer, Hall, Quilici, Galt, Schye, Selstad, Walborn and Zimmer, all excused.

Quorum present.

Mr. Speaker: We, your Committee on Bills and Journal, having examined the daily journal for the Twenty-ninth Legislative Day, find the same to be correct.

QUILICI, Chairman

REPORTS OF STANDING COMMITTEES

February 9, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill correctly enrolled: House Bill No. 687.

FLEMING, Vice-Chairman

February 9, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills and resolutions correctly printed: House Bill No. 759, House Bill No. 877, House Bill No. 946, House Bill No. 994, House Resolution No. 53, House Joint Resolution No. 67, House Joint Resolution No. 77.

FLEMING, Vice-Chairman

February 9, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills and resolutions considered correctly engrossed: House Bill No. 765, House Bill No. 989, House Joint Resolution No. 57, House Joint Resolution No. 68.

FLEMING, Vice-Chairman

February 9, 1974

I have examined House Bill No. 687 introduced by me and find the same to be correct.

COX

February 8, 1974.

The following bill was signed in the office of the Speaker of the House of Representatives on February 8, 1974: House Bill No. 715.

EDWIN A. SMITH, Chief Clerk
House of Representatives

February 9, 1974

The following bill will be signed at adjournment on February 9, 1974, in the office of the Speaker of the House of Representatives: House Bill No. 687.

EDWIN A. SMITH, Chief Clerk
House of Representatives

Objection raised by Colberg on adverse committee report on House Bill No. 1030. Referred to Second Reading.

February 9, 1974

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 885, respectfully report as follows: That House Bill No. 885 do pass.

GUNDERSON, Chairman

Report adopted.

February 9, 1974

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 918, respectfully report as follows: That House Bill No. 918 be amended in Section 1, page 1, line 25 after the word: "grades" by omitting the following material: "six (6), seven (7), and eight (8).", and inserting in lieu thereof the following material: "four (4) through eight (8) or any combination thereof", and

Be further amended in Section 3, Subsection (3), page 6, line 3 after the word: "case" by omitting the words: "the sixth grade pupils", and inserting in lieu thereof the words: "pupils below the seventh grade", and

As amended, do pass.

GUNDERSON, Chairman

Report adopted.

February 9, 1974

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 958, respectfully report as follows: That House Bill No. 958 be amended in Section 1, Subsection (c), page 2, line 4 by omitting the material: "fifty-five (55)", and inserting in lieu thereof the material: "sixty-two (62)", and

As amended, do pass.

GUNDERSON, Chairman

Report adopted.

February 9, 1974

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 1034, respectfully report as follows: That House Bill No. 1034 be amended in Section 1, page 1, line 25 after the words: "as a" by omitting the follow-

ing words: "hearing officer who shall make", and inserting in lieu thereof the words: "legal advisor who may assist the superintendent in", and

Be further amended in Section 1, page 2, line 1 after the words: "of law" by omitting the following words: "and present a proposed order to the county superintendent", and

Be further amended in Section 1, page 2, line 14 after the word: "superintendent" by omitting the following: ", or hearing officer,", and

Be further amended in Section 1, page 2, line 24 after the word: "superintendent" by omitting the following: ", or hearing officer,", and

Be further amended in Section 2, page 4, line 1 after the words: "at law" by omitting the following: "to act as a hearing officer who shall make findings of fact and reach conclusions of law and present a proposed order to the county superintendent", and inserting in lieu thereof the following: "as legal advisor who may assist the superintendent in finding of facts and reaching conclusions of law", and

As amended, do pass.

GUNDERSON, Chairman

Report adopted.

February 9, 1974

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 826, respectfully report as follows: That House Bill No. 826 do not pass.

GUNDERSON, Chairman

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 803 was passed by the following vote:

Ayes: Aageson, Ainsworth, Baeth, Bardanouve, Barrett, Baucus, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Cotton, Cox, Driscoll, East, Edland, Fasbender, Fleming, Flynn, Forsgren, Glennen, Gunderson, Hager, Haines, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jones, Kendall, Kessner, Kimble, Kosena, Laas, Lee, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Olson, Regan, Roberts, Schepens, Seifert, Shelden, Smith, Stephens, Stoltz, Tierney, Turman, Turner, Ulmer, Watt, Yardley, Mr. Speaker. Total 69.

Noes: None.

Excused: Burnett, Galt, Hageman, Hall, Mercer, Quilici, Schye, Selstad, Walborn, Zimmer. Total 10.

Absent or not voting: Asbjornson, Bell, Colberg, Ellerd, Fagg, Greely, Halvorson, H. Harper, Jacobsen, Johnston, Kolstad, Kvaalen, Lien, Lockrem, Norman, Prevost, Rolfe, Staigmilller, Swanberg, Towe, Warfield. Total 21.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 351 was passed by the following vote:

Ayes: Aageson, Ainsworth, Baeth, Bardanouve, Barrett, Baucus, Bell, Bradley, Brand, Brown, Campbell, Castles, Clemow, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Glennen, Gunderson, Hager, Haines, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marks, Menahan, Murphy, Norman, Olson, Prevost, Regan, Roberts, Rolfe, Schepens, Seifert, Shelden, Smith, Staigmilller, Stephens, Stoltz, Tierney, Towe, Turner, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 78.

Noes: Marbut, Turman. Total 2.

Excused: Burnett, Galt, Hageman, Hall, Mercer, Quilici, Schye, Selstad, Walborn, Zimmer. Total 10.

Absent or not voting: Asbjornson, Bennetts, Colberg, Greely, Halvorson, Jacobsen, Kvaalen, Laas, Mehrens, Swanberg. Total 10.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 868 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bradley, Brown, Campbell, Castles, Clemow, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Glennen, Gunderson, Hager, Haines, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Menahan, Murphy, Norman, Olson, Prevost, Regan, Roberts, Rolfe, Schepens, Seifert, Shelden, Smith, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 81.

Noes: Brand. Total 1.

Excused: Burnett, Galt, Hageman, Hall, Mercer, Quilici, Schye, Selstad, Walborn, Zimmer. Total 10.

Absent or not voting: Bennetts, Colberg, Greely, Halvorson, Huennekens, Lockrem, Mehrens, Towe. Total 8.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 893 was passed by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brown, Campbell, Castles, Clemow, Colberg, Cox, Driscoll, East, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Glennen, Greely, Gunderson, Hager, Haines, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Menahan, Murphy, Olson, Prevost, Regan, Roberts, Rolfe, Schepens, Seifert, Shelden, Smith, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Turman, Turner, Ulmer, Warfield, Watt, Mr. Speaker. Total 80.

Noes: Brand, Cotton. Total 2.

Excused: Burnett, Galt, Hageman, Hall, Mercer, Quilici, Schye, Selstad, Walborn, Zimmer. Total 10.

Absent or not voting: Ainsworth, Edland, Halvorson, Huennekens, Mehrens, Norman, Towe, Yardley. Total 8.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 1087 was passed by the following vote:

Ayes: Aageson, Ainsworth, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fasbender, Fleming, Flynn, Forsgren, Glennen, Greely, Gunderson, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Menahan, Murphy, Olson, Prevost, Regan, Roberts, Rolfe, Schepens, Seifert, Shelden, Smith, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 86.

Noes: None.

Excused: Burnett, Galt, Hageman, Hall, Mercer, Quilici, Schye, Selstad, Walborn, Zimmer. Total 10.

Absent or not voting: Asbjornson, Fagg, Mehrens, Norman. Total 4.

February 9, 1974

Mr. Speaker: We, your Committee on Judiciary, having had under consideration

House Bill No. 1085, respectfully report as follows: That House Bill No. 1085 be amended on page 1, Section 1, line 18 after the word and punctuation: "conducted." by adding the new material: "This right may be waived by the prisoner.", and

Be further amended on page 2, Section 1, line 24 after the word and punctuation: "board." by striking the material: "Such a" and inserting in lieu thereof the new material: "A", and

Be further amended on page 2, Section 1, line 24 after the word: "determination" by adding the new material: "that probable cause exists", and

As amended, do pass.

YARDLEY, Vice-Chairman

Report adopted.

February 9, 1974

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 1097, respectfully report as follows: That House Bill No. 1097 be re-referred to Rules Committee.

YARDLEY, Vice-Chairman

Report adopted.

MESSAGES FROM THE OTHER HOUSE

February 8, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bills and Resolution were this day read three several times, and passed, titles and history agreed to, and the bills and resolution are herewith transmitted to the House for concurrence:

Senate Bill No. 473 introduced by Hazelbaker (by request)

Senate Bill No. 606 introduced by James and Thiessen

Senate Bill No. 671 introduced by Hazelbaker

Senate Bill No. 702 introduced by Boylan and Lowe

Senate Joint Resolution No. 58 introduced by McDonald and Rosell

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

February 8, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read three times and concurred in, titles and history agreed to and the said bills are herewith returned to the House:

House Bill No. 300 introduced by Bardanouve, Haines, et al

House Bill No. 778 introduced by Kimble (by request)

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

MOTIONS

Greely moved that Senate Bill No. 579 be taken from the Committee on Local Government and referred to the Committee on Judiciary.

Motion carried.

Tierney, having voted on the prevailing side on the previous legislative day on an adverse committee report on House Bill No. 1079, moved that the House reconsider its action.

Motion carried.

Towe, having voted on the prevailing side on the previous legislative day on House Bill No. 1045 failing to pass Second Reading, moved that the House reconsider its action.

Motion carried.

Hager, having voted on the prevailing side on the previous legislative day on House Bill No. 934 failing to pass Second Reading, moved that the House reconsider its action.

Motion failed.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following bills were introduced, read first time and referred to committees:

House Bill No. 1113, introduced by Marbut, Haines, Turman, Ainsworth, Watt, Kimble, Norman, Baucus, Driscoll, Seifert, Mann, Brown, Lundgren: A bill for an act entitled: "An act appropriating money from the general fund to the Department of Institutions for the operation of the Child Development Center located in Missoula, Montana for the biennium ending June 30, 1975." Referred to Committee on Finance and Claims.

Senate Bill No. 473, introduced by Hazelbaker (by request): A bill for an act entitled: "An act for the codification and general revision of the laws relating to the Department of Highways." Referred to Committee on Rules.

Senate Bill No. 606, introduced by James, Thiessen: A bill for an act entitled: "An act to amend Section 66-1505, R.C.M. 1947, to provide that the Board of Pharmacists shall increase the compensation of the board, and to provide actual and necessary expenses and mileage as authorized by Section 59-801, R.C.M. 1947." Referred to Committee on State Administration.

Senate Bill No. 671, introduced by Hazelbaker: A bill for an act entitled: "An act to allow the Twin Bridges High School District to increase its general fund budget in excess of the general fund budget amount established in Section 75-6905, R.C.M. 1947, by the amount of tuition paid under Section 75-6319, R.C.M. 1947, and to amend Section 75-6923, R.C.M. 1947." Referred to Committee on Education.

Senate Bill No. 702, introduced by Boylan, Lowe: A bill for an act entitled: "An act amending Section 59-1603, R.C.M. 1947, to provide that any agreements involving union security must safeguard the rights of nonassociation of employees based on bona fide religious tenets." Referred to Committee on Labor and Employment Relations.

Senate Joint Resolution No. 58, introduced by McDonald, Rosell: A Joint Resolution of the Senate and the House of Representatives of the State of Montana requesting the Committee on Legislative Priorities to assign an interim committee to continue and to expand study of the election laws relating to local governments and to report its findings and recommendations together with any necessary legislation to the Second Session of the 44th Legislative Assembly. Referred to Committee on Local Government.

REPORTS OF STANDING COMMITTEES

February 9, 1974

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 898, respectfully report as follows: That House Bill No. 898 do not pass.

LEE, Chairman

February 9, 1974

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 988, respectfully report as follows: That House Bill No. 988 do pass.

LEE, Chairman

Report adopted.

February 9, 1974

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Resolution No. 49, respectfully report as follows: That House Resolution No. 49 do pass.

LEE, Chairman

Report adopted.

February 9, 1974

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Joint Resolution No. 66, respectfully report as follows: That House Joint Resolution No. 66 do pass.

LEE, Chairman

Report adopted.

SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)

Fasbender moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading, under the rules of the previous sitting.

Motion carried.

Lien in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

February 9, 1974

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That House Bill No. 635 do pass. (80-1)

That House Bill No. 723 do pass. (81-4)

That House Bill No. 806 do pass. (81-3)

That House Bill No. 818 do pass. (79-0)

That House Bill No. 849 do pass. (47-43)

That House Bill No. 859 do pass. (73-0)

That House Bill No. 866 be amended in Section 1, page 2, lines 6 through 12 of the second reading bill by striking the following words, punctuation, figures and underlining: "the proper legal remedies in the state courts. Such proceedings shall be commenced no later than sixty (60) days after the date of the decision of the superintendent of public instruction." and inserting in lieu thereof the following: "judicial review as provided in Sections 82-4216 and 82-4217, R.C.M. 1947." (68-0), and

As amended, do pass. (74-1)

That House Bill No. 899 do pass. (78-0)

That House Bill No. 914 do pass. (77-5)

That House Bill No. 917 be passed for the day.

That House Bill No. 955 do pass. (74-1)

That House Bill No. 1052 do pass. (69-4)

That Senate Bill No. 491 be concurred in. (72-0)

That Senate Bill No. 492 be concurred in. (75-0)

That Senate Bill No. 552 be concurred in. (76-0)

That Senate Bill No. 607 be concurred in. (75-1)

That Senate Bill No. 669 be passed for the day.

That House Joint Resolution No. 65 be amended in the title of the introduced bill, line 7 after the punctuation: ";," by adding the following new material: "and", and

Further amend the title by striking after the word: "limit" the following material: ", and encouraging the citizens of Montana to make mechanical modifications on their motor vehicles which will result in better gasoline mileage." (70-3), and

Further amend lines 18 to 21 by omitting the entire "Whereas clause" (64-3), and

Further amend line 23, page 1 by striking after the word: "in" the following material: "economic", and

Further amend line 23, page 1 by striking after the word: "hardship" the following material: "on salesmen, truckers and other citizens of Montana" (58-10), and

Further amend lines 21 to 24, page 2 by omitting the entire "Be it further resolved," clause (64-7), and

As amended, do not pass. (51-29)

That Senate Amendments to House Bill No. 645 be concurred in. (77-2)

That the Committee rise and report.

LIEN, Chairman

Report adopted.

THIRD READING OF BILLS

East and Gerke excused at this time.

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 592 was passed by the following vote:

Ayes: Ageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, Edland, Ellerd, Fagg, Fasbender, Flynn, Forsgren, Glennen, Greely, Gunderson, Hager, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Regan, Roberts, Rolfe, Schepens, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley. Total 84.

Noes: None.

Excused: Burnett, East, Galt, Gerke, Hageman, Hall, Mercer, Quilici, Schye, Selstad, Walborn, Zimmer. Total 12.

Absent or not voting: Bell, Fleming, Haines, Seifert. Total 4.

House Bill No. 693 was passed by the following vote:

Ayes: Aageson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, Edland, Ellerd, Fagg, Fasbender, Flynn, Forsgren, Glennen, Greely, Gunderson, Hager, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Huennekens, Jacobsen, Johnston, Kendall, Kimble, Kolstad, Kosena, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lynch, McKittrick, Manuel, Marbut, Mehrens, Menahan, Murphy, Norman, Prevost, Regan, Roberts, Schepens, Shelden, Staigmiller, Stephens, Stoltz, Swanberg, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley. Total 71.

Noes: Ainsworth, Asbjornson, Holtz, Hubing, Jones, Kvaalen, Lundgren, Mann, Marks, Olson, Rolfe, Smith, Tierney. Total 13.

Excused: Burnett, East, Galt, Gerke, Hageman, Hall, Mercer, Quilici, Schye, Selstad, Walborn, Zimmer. Total 12.

Absent or not voting: Fleming, Haines, Kessner, Seifert. Total 4.

House Bill No. 801 was passed by the following vote:

Ayes: Aageson, Baeth, Bardanouve, Baucus, Bennetts, Bradley, Brand, Brown, Colberg, Cox, Driscoll, Edland, Ellerd, Fagg, Flynn, Forsgren, Glennen, Greely, Gunderson, Halvorson, H. Harper, R. Harper, Hodges, Holmes, Huennekens, Jacobsen, Kendall, Kimble, Kosena, Laas, Lund, McKittrick, Manuel, Marbut, Mehrens, Menahan, Murphy, Norman, Regan, Roberts, Rolfe, Schepens, Shelden, Staigmiller, Stephens, Stoltz, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley. Total 53.

Noes: Ainsworth, Asbjornson, Barrett, Bell, Campbell, Castles, Clemow, Fasbender, Hager, Healy, Holtz, Hubing, Johnston, Jones, Kessner, Kolstad, Kvaalen, Lee, Lockrem, Lombardi, Lucas, Lundgren, Lynch, Mann, Marks, Olson, Prevost, Quilici, Swanberg, Tierney. Total 30.

Paired: Yardley, Aye; Quilici, Nay.

Excused: Burnett, East, Galt, Gerke, Hageman, Hall, Mercer, Schye, Selstad, Walborn, Zimmer. Total 11.

Absent or not voting: Cotton, Fleming, Haines, Lien, Seifert, Smith. Total 6.

House Bill No. 852 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, Edland, Ellerd, Fagg, Fasbender, Flynn, Forsgren, Glennen, Greely, Gunderson, Hager, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Regan, Roberts, Schepens, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley. Total 82.

Noes: None.

Excused: Burnett, East, Galt, Gerke, Hageman, Hall, Mercer, Quilici, Schye, Selstad, Walborn, Zimmer. Total 12.

Absent or not voting: Bennetts, Fleming, Haines, Rolfe, Seifert, Tierney. Total 6.

House Bill No. 855 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, Edland, Ellerd, Fagg, Fasbender, Flynn, Forsgren, Glennen, Greely, Hager, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Marbut, Marks, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Regan, Roberts, Rolfe, Schepens, Shelden, Smith,

Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley. Total 83.

Noes: Gunderson. Total 1.

Excused: Burnett, East, Galt, Gerke, Hageman, Hall, Mercer, Quilici, Schye, Selstad, Walborn, Zimmer. Total 12.

Absent or not voting: Fleming, Haines, Manuel, Seifert. Total 4.

House Bill No. 947 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cox, Edland, Ellerd, Fagg, Fasbender, Flynn, Forsgren, Glennen, Greely, Gunderson, Hager, Halvorson, H. Harper, Healy, Hodges, Holmes, Holtz, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lombardi, Lucas, Lund, Lundgren, Lynch, Mann, Marbut, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Regan, Roberts, Rolfe, Schepens, Shelden, Stephens, Stoltz, Swanberg, Turman, Turner, Ulmer, Warfield, Watt, Yardley. Total 73.

Noes: Cotton, Driscoll, R. Harper, Hubing, Lockrem, McKittrick, Marks, Smith, Staigmiller, Tierney. Total 10.

Excused: Burnett, East, Galt, Gerke, Hageman, Hall, Mercer, Quilici, Schye, Selstad, Walborn, Zimmer. Total 12.

Absent or not voting: Fleming, Haines, Manuel, Seifert, Towe. Total 5.

House Bill No. 954 was passed by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, Edland, Ellerd, Fagg, Fasbender, Flynn, Forsgren, Glennen, Greely, Gunderson, Hager, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Norman, Prevost, Regan, Roberts, Schepens, Shelden, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley. Total 80.

Noes: None.

Excused: Burnett, East, Galt, Gerke, Hageman, Hall, Mercer, Quilici, Schye, Selstad, Walborn, Zimmer. Total 12.

Absent or not voting: Ainsworth, Fleming, Haines, Hubing, Olson, Rolfe, Seifert, Smith. Total 8.

House Bill No. 971 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, Edland, Ellerd, Fagg, Fasbender, Forsgren, Greely, Gunderson, Hager, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Regan, Roberts, Schepens, Shelden, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley. Total 80.

Noes: Flynn, Glennen, Kosena, Rolfe. Total 4.

Excused: Burnett, East, Galt, Gerke, Hageman, Hall, Mercer, Quilici, Schye, Selstad, Walborn, Zimmer. Total 12.

Absent or not voting: Fleming, Haines, Seifert, Smith. Total 4.

House Bill No. 980 was passed by the following vote:

Ayes: Ageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brown, Campbell, Colberg, Cotton, Cox, Edland, Ellerd, Fagg, Fasbender, Flynn, Forsgren, Glennen, Greely, Gunderson, Hager, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kosen, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Norman, Prevost, Regan, Roberts, Rolfe, Schepens, Shelden, Smith, Staigmiller, Stephens, Stoltz, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley. Total 77.

Noes: Brand, Kolstad, Swanberg. Total 3.

Excused: Burnett, East, Galt, Gerke, Hageman, Hall, Mercer, Quilici, Schye, Selstad, Walborn, Zimmer. Total 12.

Absent or not voting: Castles, Clemow, Driscoll, Fleming, Haines, Huennekens, Olson, Seifert. Total 8.

House Joint Resolution No. 53 was passed by the following vote:

Ayes: Ageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bradley, Brand, Brown, Campbell, Castles, Colberg, Cotton, Cox, Driscoll, Edland, Ellerd, Fagg, Fasbender, Flynn, Forsgren, Glennen, Greely, Gunderson, Hager, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosen, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marks, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Regan, Roberts, Rolfe, Schepens, Shelden, Smith, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley. Total 81.

Noes: Bennetts, Clemow, Staigmiller. Total 3.

Excused: Burnett, East, Galt, Gerke, Hageman, Hall, Mercer, Quilici, Schye, Selstad, Walborn, Zimmer. Total 12.

Absent or not voting: Flenning, Haines, Marbut, Seifert. Total 4.

REPORTS OF STANDING COMMITTEES

February 9, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill correctly enrolled: House Bill No. 872.

QUILICI, Chairman

February 9, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly printed: House Bill No. 1041, House Bill No. 1058.

QUILICI, Chairman

February 8, 1974

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 712, respectfully report as follows: That House Bill No. 712 be amended on page 10, after the material on line 21 by adding a new Section 3 to read as follows: "Section 3. The department of revenue shall not issue a general liquor license in a given area for less than the appraised market value of such license.", and

Be further amended on page 3, Section 1, beginning with the word: "During" on line 18 and continuing through the year: "1974" on line 23 by omitting all the material contained therein and inserting in lieu thereof the following material: "During the period ending June 30, 1979, the department may not issue a greater number of licenses in or within five (5) miles of the limits of a city or town than is proportionate to the population of that city or town, based on the latest federal

census figures or population estimates of the department of intergovernmental relations, as set forth in the following schedule:

Population	Licenses
1 - 500	2
500 - 1000	3
1000 - 2000	4
2000 - 3000	5

For each additional 1500 persons: 1 additional license

During the period ending June 30, 1979, the department may not issue a greater number of licenses in a county and outside the area within five (5) miles of the limits of a city or town than one (1) license for each seven hundred fifty (750) population of the county, based on the latest federal census figures or population estimates of the department of intergovernmental relations.", and

As amended, do pass.

MEHRENS, Chairman

Report adopted.

February 8, 1974

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 793, respectfully report as follows: That House Bill No. 793 do pass.

MEHRENS, Chairman

Report adopted.

February 8, 1974

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 808, respectfully report as follows: That House Bill No. 808 be amended on page 2, Section 1, line 12 before the word: "shall" by inserting the following material: "within the limits of any city or town", and

Be further amended on page 2, Section 1, line 13 after the word: "poles" by inserting the following material: ", and that any person, firm or corporation engaged in moving such structure outside the limits of any city or town shall pay a fee of one hundred dollars (\$100) for raising or cutting such wires or removing such poles", and

As amended, do not pass.

MEHRENS, Chairman

February 8, 1974

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 840, respectfully report as follows: That House Bill No. 840 do pass.

MEHRENS, Chairman

Report adopted.

February 8, 1974

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 888, respectfully report as follows: That House Bill No. 888 be amended on page 1, line 9 following the material: "Section 1." by inserting the words and punctuation: "Loans over certain amount — no maximum interest.", and

Be further amended on page 1, Section 1, line 17 after the word: "dollars" by omitting the material: "(\$200,000)" and inserting in lieu thereof the material: "(\$400,000)", and

As amended, do pass.

MEHRENS, Chairman

Report adopted.

February 8, 1974

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 919, respectfully report as follows: That House Bill No. 919 do not pass.

MEHRENS, Chairman

February 8, 1974

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 943, respectfully report as follows: That House Bill No. 943 be amended on page 1, Section 1, line 13 before the word: "than" by omitting the word: "less" and inserting in lieu thereof the word: "more", and

Be further amended on page 1, Section 1, line 13 after the word and punctuation: "days." by inserting the following material: "However, if litigation is commenced, the claim is not overdue until the date of final judgment.", and

As amended, do pass.

MEHRENS, Chairman

Report adopted.

February 8, 1974

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 998, respectfully report as follows: That House Bill No. 998 do not pass.

MEHRENS, Chairman

February 8, 1974

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 1008, respectfully report as follows: That House Bill No. 1008 be amended on page 1, Section 1, line 16 by omitting the material: "section 6 [79-309]" and inserting in lieu thereof the material: "79-309", and

Be further amended on page 1, Section 1, line 19 by omitting the material: "Section 4 [79-307]" and inserting in lieu thereof the material: "79-307", and

As amended, do pass.

MEHRENS, Chairman

Report adopted.

February 9, 1974

Mr. Speaker: We, your Committee on Natural Resources, having had under consideration House Bill No. 1009, respectfully report as follows: That House Bill No. 1009 do pass.

SHELDEN, Chairman

Report adopted.

February 8, 1974

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 1068, respectfully report as follows: That House Bill No. 1068 do pass.

MEHRENS, Chairman

Report adopted.

February 8, 1974

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 1073, respectfully report as follows: That House Bill No. 1073 be amended in the title on page 1, line 9 by omitting the material: "Forty (40)" and inserting in lieu thereof the material: "Twenty (20)", and

Be further amended on page 1, Section 1, line 18 by omitting the material: "forty (40)" and inserting in lieu thereof the material: "twenty (20)", and

Be further amended on page 1, Section 1, line 25 by omitting the material: "forty (40)" and inserting in lieu thereof the material: "twenty (20)", and

Be further amended on page 2, Section 2, line 21 by omitting the material: "forty (40)" in two places and inserting in lieu thereof the material: "twenty (20)" in two places, and

Be further amended on page 2, Section 2, line 23 by omitting the material: "forty (40)" and inserting in lieu thereof the material: "twenty (20)", and

Be further amended on page 3, Section 3, line 7 by omitting the material: "forty (40)" and inserting in lieu thereof the material: "twenty (20)", and

As amended, do pass.

MEHRENS, Chairman

Report adopted.

February 8, 1974

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 1089, respectfully report as follows: That House Bill No. 1089 do pass.

MEHRENS, Chairman

Report adopted.

MESSAGES FROM THE OTHER HOUSE

February 9, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read three times and concurred in as amended, titles and history agreed to and the said bills are herewith returned to the House for concurrence in Senate amendments:

House Bill No. 762 introduced by Manuel, Gunderson, et al

House Bill No. 779 introduced by Kimble (by request)

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

Fasbender moved that the House adjourn until 1:30 p.m., February 11, 1974.

Motion carried.

House adjourned.

LAAS, Speaker Pro Tempore

EDWIN A. SMITH, Chief Clerk

THIRTY-FIRST LEGISLATIVE DAY

Helena, Montana
February 11, 1974

House Chambers
Capitol Building

House convened at 1:30 p.m., Mr. Speaker in the Chair.

Invocation by the Chaplain.

Pledge of Allegiance to the Flag.

Roll call. All members present except Hageman, Hall, Kvaalen, Lund, Walborn and Zimmer, all excused.

Quorum present.

Mr. Speaker: We, your Committee on Bills and Journal, having examined the daily journal for the Thirtieth Legislative Day, find the same to be correct.

QUILICI, Chairman

REPORTS OF STANDING COMMITTEES

February 11, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills considered correctly engrossed: House Bill No. 635, House Bill No. 723, House Bill No. 806, House Bill No. 818, House Bill No. 849, House Bill No. 859, House Bill No. 899, House Bill No. 914, House Bill No. 955, House Bill No. 1052.

QUILICI, Chairman

February 11, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly enrolled: House Bill No. 743, House Bill No. 754.

QUILICI, Chairman

February 11, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills and resolutions correctly printed: House Bill No. 617, House Bill No. 793, House Bill No. 820, House Bill No. 840, House Bill No. 885, House Bill No. 944, House Bill No. 988, House Bill No. 990, House Bill No. 1009, House Bill No. 1068, House Bill No. 1089, House Joint Resolution No. 66, House Resolution No. 49.

QUILICI, Chairman

February 11, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill correctly engrossed: House Bill No. 871.

QUILICI, Chairman

February 11, 1974

I have examined House Bill No. 754 introduced by me and find the same to be correct.

AAGESON

February 11, 1974

I have examined House Bill No. 743 introduced by me and find the same to be correct.

FLYNN

February 11, 1974

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bill No. 715, do hereby report that said bill, together with a copy thereof, signed by the Speaker of the House and President of the Senate, was this day, at the hour of 8:25 o'clock a.m., delivered to the Governor for his approval.

QUILICI, Chairman

February 11, 1974

I have examined House Bill No. 872 introduced by me and find the same to be correct.

DRISCOLL

February 11, 1974

The following bill was signed in the office of the Speaker of the House of Representatives on February 9, 1974: House Bill No. 687.

EDWIN A. SMITH, Chief Clerk
House of Representatives

February 11, 1974

The following bills will be signed at adjournment on February 11, 1974, in the office of the Speaker of the House of Representatives: House Bill No. 743, House Bill No. 754, House Bill No. 872, Senate Bill No. 465.

Edwin A. Smith, Chief Clerk
House of Representatives

February 9, 1974

Mr. Speaker: We, your Committee on Natural Resources, having had under consideration House Bill No. 474, respectfully report as follows: That House Bill No. 474 be amended as follows:

Amend the key line of the introduced bill, page 1, line 4 following the figure and punctuation: "26-1502," by inserting the figure and punctuation: "26-1504," and

Amend the title, page 1, lines 10 through 13 by omitting the following words and punctuation: "providing for the reporting to United States agencies of activities which adversely affect fishing streams and other fish and wildlife resources," and

Further amend the title, page 1, line 14 following the figure and punctuation: "26-1502," by inserting the figure and punctuation: "26-1504," and, following the figure: "26-1505" by inserting the punctuation: "," and by omitting the word: "and" and, following the figure: "26-1506" by omitting the punctuation: "," and by inserting the word, figure and punctuation: "and 26-1507," and

Further amend the title, page 1, lines 14 and 15 following the material: "R.C.M. 1947;" by omitting the words, figures and punctuation: "and repealing section 26-1507, R.C.M. 1947" and by inserting in lieu thereof the words: "and providing an expiration date", and

Amend page 1, line 22 following the word: "commission" by inserting the words: "and local conservation district office", and

Amend page 1, line 22 following the word and punctuation: "notice." by inserting the following material: "(1) Except as covered in subsection (2) herein, an" and by striking the word: "An", and

Amend page 2, Section 1, line 1 following the words: "shall not" by striking the words and punctuation: "construct, modify, operate, maintain, or fail to maintain," and by inserting in lieu thereof the words, figure and punctuation: "contravene the policies of section 26-1501 by constructing, modifying, operating or maintaining", and

Amend page 2, Section 1, line 5 following the words: "of any" by inserting the words: "naturally perennially flowing" and, following the word: "stream" by inserting the words: "or portion thereof", and

Amend page 2, Section 1, line 6 following the word: "banks" by striking the words: "or tributaries by any type or form of construction", and

Amend page 2, Section 1, line 7 following the words: "causing notice" by inserting the word: "thereof"; further amend line 7 by striking the words: "of such planned construction", and

Amend page 2, Section 1, line 11 following the words: "commencement of" by striking the words: "final plans for", and

Amend page 2, Section 1, following line 14 by adding a new subsection (2) to read as follows:

"(2) An agency of state government, county, municipality, or other subdivision of the state of Montana and any person, corporation, firm, partnership, association or other legal entity owning or operating a farm or ranch who intends to construct, modify, operate, or maintain any construction project or any hydraulic project which may or will obstruct, damage, diminish, destroy, change, modify or vary the natural shape, form or course of any naturally perennially flowing stream or portion thereof or its banks by any type or form of construction shall notify the fish and game commission of such projects either on forms furnished by the fish and game commission or by letter, which will include the location and description of the proposed project. Such notice must be served upon the fish and game commission at least thirty (30) days prior to commencement of construction of any proposed project, except for an irrigation project subject to the requirements of section 26-1507, in which case the fish and game commission shall be served notice fourteen (14) days prior to proposed construction either on forms furnished by the fish and game commission or by letter including the location and description of the proposed project. All notices to be sent hereunder shall be addressed to Fish and Game Commission, Sam W. Mitchell Building, Helena, Montana 59601, and shall be sent by certified or registered mail, return receipt requested. Notification to the fish and game commission shall be measured from the date of receipt of notice by fish and game commission.

Amend page 2, following line 14 and following the newly added Subsection (2) of Section 1 by adding a new Section 2 and by renumbering remaining sections of the bill, Section 2 to read as follows:

"Section 2. Section 26-1504, R.C.M. 1947, is amended to read as follows:

'26-1504. Notice of commission findings—recommendations and alternative plans. (1) Within thirty (30) days after the receipt of such plans, the commission shall notify the applicant whether or not such construction project or hydraulic project will [adversely affect any fish or game habitat] contravene the requirements of section 26-1502. If the fish and game commission notifies the applicant that such construction will [adversely affect any fish or game habitat] contravene the requirements of section 26-1502, it shall accompany such notice with recommendations or alternative plans which will eliminate or diminish such adverse effect.

(2) Within fourteen (14) days after the receipt of notice of plans for an irrigation project subject to the requirements of section 26-1507, the commission shall notify the applicant by certified or registered mail, return receipt requested, whether such irrigation project will contravene the requirements of section 26-1502. The notification period shall begin from the date of deposit in the United States mails. If the fish and game commission notifies the applicant that such project will contravene the requirements of section 26-1502, it shall accompany such notice with recommendations or alternative plans of comparable initial costs to the landowners which will eliminate or diminish the adverse effects. If the fish and game commission fails to notify the applicant within the fourteen (14) day time period, the project shall be considered approved.", and

Amend page 2, present Section 2, new Section 3, line 18 following the word and punctuation: "disputes." by adding a new Subsection (1) to read as follows: "(1) No construction or hydraulic project may be undertaken except in compliance with all of the provisions of this act, unless the fish and game commission shall notify applicant that the project may proceed." and further amend by renumbering subsequent subsections, and

Amend page 2, present Section 2, Subsection (1), new Section 3, Subsection (2), line 20 by striking the words: "adversely affect fish or game habitat" and by inserting in lieu thereof the words: "contravene the requirements of section 26-1502", and

Amend page 3, present Section 2, Subsection (2), new Section 3, Subsection (3), lines 8 through 15 following the words and punctuation: "writing," by striking the material in its entirety and by inserting in lieu thereof the following material: "the members of the arbitration committee. The arbitration committee shall consist of five (5) people, one of whom shall be appointed by each of the following: the commissioner of agriculture; the director of the department of health and environmental sciences; the director of the department of natural resources and conservation; the director of the department of fish and game; and the supervisors of the conservation district in which the proposed project is to be located.", and

Amend page 3, present Section 2, Subsection (2), new Section 3, Subsection (3), line 16 following the word: "committee" by striking the words: "is appointed" and by inserting in lieu thereof the words: "receives notice", and

Amend pages 3 and 4, present Section 2, Subsection (2), new Section 3, Subsection (3), line 25 on page 3 following the word: "of" through line 6 on page 4 by striking the material in its entirety and by inserting in lieu thereof the words: "each member of the arbitration committee shall be assumed by the agency or body he represents", and

Amend page 4, present Section 3, new Section 4, line 10 following the words and punctuation: "actions," by inserting the punctuation and figure: "(1)"; further amend lines 13 through 15 following the words: "operate [or]" on line 13 by striking the material in its entirety and by inserting in lieu thereof the following material: "in situations involving immediate danger to life or property. Notwithstanding anything in this section to the contrary, an agency of state government, county, municipality, or other subdivision of the state of Montana and any person, corporation, firm, partnership, association or other legal entity which constructs, modifies, operates, or maintains any construction project or hydraulic project which does, may or will obstruct, damage, diminish, destroy, change, modify, or vary the natural shape, form or course of any naturally perennially flowing stream or portion thereof or its banks in emergencies or other conditions causing emergency handling, shall notify the fish and game commission of such action within fifteen (15) days after such action has been taken.

(2) The exemption granted in this section shall apply only to such actions as are necessary to safeguard life or property, including growing crops, during the period of emergency. Failure to give timely notice of a project as required by section 26-1502 shall not constitute an emergency under this section.", and

Amend page 4, present Section 4, lines 16 through 25 and page 5, lines 1 through 7 by striking all of the material in its entirety and by inserting a new Section 5 and Section 6 as follows:

"Section 5. Section 26-1507, R.C.M. 1947, is amended to read as follows:

'26-1507. Irrigation projects [exempt]. (1) This act shall [not] only apply to [any] an irrigation district project or any other irrigation system which requires the use of a crawler mounted tractor with bulldozer or loader attachment, rubber-tired tractor with loader attachment having a capacity of one-half ($\frac{1}{2}$) cubic yards or greater, or any other steel-tracked equipment or the use of a dragline or draglines in the live flowing stream.

(2) This act shall not apply to the cleaning, maintenance, construction or repair of any diversion structure, canal, ditch, or lateral or to the removal of any obstruction from a stream channel which is interfering with the delivery of water under a valid existing water right or a permit or certificate issued pursuant to the water use act.

(3) This act shall not apply to the removal of debris from a channel and all material removed will be disposed of at some point outside the channel where it cannot again reenter the channel.'

Section 6. There is a new section to be numbered 26-1508, R.C.M. 1947, which reads as follows:

26-1508. Adoption of rules. The fish and game commission with the concurrence of the arbitration panel may adopt rules and forms necessary to implement and carry out the purposes and provisions of this act.", and

Amend by renumbering remaining sections in the bill, and

Amend page 5, present Section 5, new Section 7, following the figure and punctuation: "26-1509." on line 10 through the word: "Any" on line 20 by omitting all of the material in its entirety and by inserting the following material in lieu thereof: "Penalty — misdemeanor. Any party, as described in section 26-1502, violating any provision of this act shall be deemed guilty of a misdemeanor and shall be punished as prescribed in section 26-324. Moreover, except for the activities described in section 26-1506.", and

Amend page 6, present Section 6, new Section 8, line 2 following the figure and punctuation: "26-1510." by inserting the following: "Penalty — restoration or other mitigation of damages.", and

Amend page 6, present Section 7, new Section 9, following the word, figure and punctuation: "Section 7." on line 7 through line 11 by omitting the following: "There is a new section to be numbered 26-1511, R.C.M. 1947, which reads as follows: 26-1511." so that new Section 9 reads as follows: "Section [7] 9. The provisions of this act shall be . . .", and

Amend page 6, present Section 8, new Section 10, following the word, figure and punctuation: "Section 8." on line 16 by striking all of the material on line 16 and by inserting in lieu thereof the following: "This act shall expire on July 1, 1976.", and

As amended, do pass.

(Material in brackets denotes cancelled type.)

SHELDEN, Chairman

Report adopted.

February 11, 1974

Mr. Speaker: We, your Committee on Rules, having had under consideration House Bill No. 708, respectfully report as follows: That House Bill No. 708 be rejected as it is designed to accomplish the same purpose as House Bill No. 467 which was killed in the last session and is, therefore, improperly introduced under Joint Rule 6-8 and cannot be considered during this session.

FASBENDER, Chairman

Report adopted.

February 9, 1974

Mr. Speaker: We, your Committee on Highways and Transportation, having had under consideration House Bill No. 750, respectfully report as follows: That House Bill No. 750 be amended in the title, page 1 by striking on lines 5 and 6 the following words: "and the possession of open receptacles containing alcoholic beverages", and

Be further amended in the title, page 1 by striking on lines 7 and 8 the following words: "or in areas used for public parking", and

Be further amended on page 1, Section 2, line 23 by striking the words: "Open container law" and inserting in lieu thereof the following words: "Violation of law", and

Be further amended on page 1, Section 2, line 25 by inserting after the word: "highway" the punctuation mark: ".", and

Be further amended on page 2, Section 2 by striking all the material on lines 1 through and including line 24, and

As amended, do pass.

LAAS, Chairman

Report adopted.

February 11, 1974

Mr. Speaker: We, your Committee on Rules, having had under consideration House Bill No. 768, respectfully report as follows: That House Bill No. 768 be rejected as it is designed to accomplish the same purpose as House Bill No. 155 which was killed in the last session and is, therefore, improperly introduced under Joint Rule 6-8 and cannot be considered during this session.

FASBENDER, Chairman

Report adopted.

February 11, 1974

Mr. Speaker: We, your Committee on Natural Resources, having had under consideration House Bill No. 795, respectfully report as follows: That House Bill No. 795 be amended in the introduced bill, page 4, Section 3, Subsection (e), line 23 following the word: "land" by inserting the word: "voluntarily", and

Be further amended on page 7, Section 5, Subsection (a), line 16 by striking the word: "urban", and

Be further amended on page 11, Section 12, line 3 following the word: "been" by inserting the word: "validly", and

Be further amended on page 13, following Section 16, after line 12 by adding a new Section 17 as follows: "Section 17. Eminent domain prohibited. This act does not authorize any person or agency to exercise the power of eminent domain. No easement, covenant, restriction or servitude may be condemned by authority of this act.", and

As amended, do pass.

SHELDEN, Chairman

Report adopted.

February 9, 1974

Mr. Speaker: We, your Committee on Highways and Transportation, having had under consideration House Bill No. 846, respectfully report as follows: That House Bill No. 846 be amended in Section 1, page 1, line 11 of the introduced bill following the word: "limits" by inserting the following material: "-exception to the basic rule", and

Be further amended in Section 1, page 1, line 17 by striking the words: "from the Highway Trust Fund Act" and inserting in lieu thereof the following: "authorized by the Federal Aid Highway Act of 1973 and all acts amendatory thereto", and

Be further amended in Section 1, page 1, line 18 by striking the material: "source." and inserting in lieu thereof the following material: "statute. A speed limit imposed pursuant to this act is an exception to the basic rule requirements of section 32-2124 and a speed in excess of the speed limit established pursuant to this act is unlawful notwithstanding any provision of that section.", and

Be further amended in Section 3, page 2, line 6 by striking the words: "from the Highway Trust Fund Act" and inserting in lieu thereof the following material: "authorized by the Federal Aid Highway Act of 1973 and all acts amendatory thereto", and

Further amend in Section 3, page 2, line 7 by striking the word: "source" and inserting in lieu thereof the word: "statute", and

Be further amended in Section 6, page 2, line 20 following the material: "Enforcement." by striking all of Subsection (1) and inserting in lieu thereof the following material: "(1) A person violating the speed limit imposed pursuant to section 1 of this act is guilty of the offense of unnecessary waste of a resource

currently in short supply and upon conviction shall be fined not to exceed one dollar (\$1) and no jail sentence may be imposed. Bond for this offense shall not exceed one dollar (\$1).", and

Be further amended in Section 6, Subsection 2, page 2, line 24 following the material: "act" by inserting the following new material: "provided, however, no violation of this act shall be recorded or charged against the driver's record of a person convicted of violating this act and that no insurance company shall hold a violation of this act against the insured and there shall be no increase in premiums due to a violation of this act", and

As amended, do pass.

LAAS, Chairman

Report adopted.

February 11, 1974

Mr. Speaker: We, your Committee on Natural Resources, having had under consideration House Bill No. 882, respectfully report as follows: That House Bill No. 882 do pass.

SHELDEN, Chairman

Report adopted.

February 11, 1974

Mr. Speaker: We, your Committee on Finance and Claims, having had under consideration House Bill No. 891, respectfully report as follows: That House Bill No. 891 be amended as follows:

Amend page 1, by deleting lines 10 through 25, and

Amend page 2, by deleting lines 1 through 25, and

Amend page 3, by deleting lines 1 through 17, and

Amend page 3, lines 17 and thereafter to read as follows:

"Section 1. For the purposes of this act, unless otherwise stated:

(1) 'Agency' includes all state offices, departments, divisions, boards, commissions, councils, committees, institutions, university units, and other entities or instrumentalities of state government.

(2) 'Program' means a segment that includes a combination of planned efforts to provide a service.

(3) 'Approved budget amendment' means approval by the governor, or his designated representative, of a request submitted through the budget bureau for executive branch agencies; approval by the respective legislative committees for legislative branch agencies, to:

(a) obtain financing for a new or expanded program from funds which were not available for consideration by the legislative assembly but which have become available from a source other than state's general fund; or

(b) transfer appropriations, including general fund appropriations, between programs within a state agency; or

(c) expend remaining balances of the first fiscal year appropriations, including general fund appropriations, during the second fiscal year of the biennium.

Section 2. The appropriations contained in this act are intended to provide only necessary and ordinary expenditures for the year for which the appropriations are made. Except for amounts subject to accrual at the end of each fiscal year, the unexpended balance of any appropriation shall revert to the fund from which it was appropriated. In case of necessity, an appropriation not expended during the first fiscal year of the biennium may be expended during the second fiscal year by approved budget amendment.

Section 3. The appropriations in this act are intended to provide for all expenditures for:

(1) The full time service of three (3) auditors to assist the administrator of the utility division and to assist the administrator of the transportation division of the commission; one (1) engineer to assist the administrator of the utility division of the commission; the full time service of one (1) court reporter; and the full time service of one (1) legal stenographer.

(2) all other ordinary and necessary expenditures for the operation of the agency and the program to which the appropriation applies;

(3) repairs and maintenance, other than major alterations of existing buildings; and

(4) the purchase or replacement of capital items other than expenditures for the construction, improvement or furnishing of buildings or purchase of buildings or land unless specifically authorized.

Section 4. Financing for new or expanded programs from sources other than general fund may be made available by approved budget amendment.

Section 5. Each executive branch agency shall submit to the budget bureau, on or before July 1 of each fiscal year, an operational plan within the limits of appropriations which includes the position and salary of all officers and employees. The salary of the chief administrator of each agency shall be determined by the appointing authority. Informational copies of operational plan changes shall be submitted to the budget bureau for review.

Section 6. No new program may be established and no existing program may be expanded beyond the scope of the programs approved by the legislative assembly in the 1975 biennial budget, unless the new program or the program expansion and its method of financing is approved by means of an approved budget amendment.

Section 7. Transfers of appropriated funds between programs of an agency may be made only by an approved budget amendment.

Section 8. If the operation of a state agency is financed by an appropriation or appropriations from the general fund as well as by appropriation from other sources, the funds provided by appropriation from the general fund shall be decreased by the amount that the funds received from other sources exceeds the amount from other sources appropriated by the legislature in the 1975 biennial budget, provided that:

(1) the decrease does not jeopardize the receipt of the funds to be received from other sources; and

(2) this section shall not apply to any excess funds if they are to be expended for a new or expanded program approved by means of an approved budget amendment.

Section 9. When an agency receives federal funds as reimbursement for the cost of administering a federal program and this cost was financed by a general fund appropriation, the federal funds shall be deposited into the general fund unless usage of the federal fund is restricted by federal provisions.

Section 10. The governor may reduce any appropriation by not more than fifteen percent (15%) except appropriations for:

(1) payment of interest and retirement of the state debt;

(2) operation of the legislature;

(3) public schools;

(4) the judiciary; or

(5) salaries of public officers, during their term of office.

Section 11. In addition to the amounts specifically appropriated by this act,

there is hereby appropriated to the legislative auditor for the legislative audit program that amount that state agency heads agree to provide for audits from their available non-general fund resources.

Section 12. If any section, subsection, sentence, clause, or phrase of this act is for any reason held unconstitutional, such decision shall not affect the validity of the remaining portions of this act.

Section 13. The following moneys are appropriated for the biennium ending June 30, 1975:

	FISCAL YEAR ENDING 6/30/74	FISCAL YEAR ENDING 6/30/75
Department of Public Service Regulation Public Service Regulation Program From the General Fund	0	\$91,780 "

Further amend by inserting the following new section:

"Section 14. This act is effective on passage and approval.", and

As amended, do pass.

BARDANOUE, Chairman

Report adopted.

February 9, 1974

Mr. Speaker: We, your Committee on Highways and Transportation, having had under consideration House Bill No. 995, respectfully report as follows: That House Bill No. 995 be amended on page 1, line 23 by deleting the word: "at", and be further amended on page 1, line 24 by deleting the words: "night, as defined by official sunrise and sunset", and inserting in lieu thereof the following material: "the sign shall not be illuminated from midnight until the following official sunset.", and

As amended, do not pass.

LAAS, Chairman

February 11, 1974

Mr. Speaker: We, your Committee on Natural Resources, having had under consideration House Bill No. 1010, respectfully report as follows: That House Bill No. 1010 be amended in the original bill page 5, Section 1, Subsection (5), Sub-subsection (b), lines 5 through 9 following the word and punctuation: "experimentation." on line 5 by omitting the material contained therein in its entirety, and

As amended, do pass.

SHELDEN, Chairman

Report adopted.

February 11, 1974

Mr. Speaker: We, your Committee on Rules, having had under consideration House Bill No. 1033, respectfully report as follows: That House Bill No. 1033 be rejected as it is designed to accomplish the same purpose as Senate Bill No. 173 which was killed in the last session and is, therefore, improperly introduced under Joint Rule 6-8 and cannot be considered during this session.

FASBENDER, Chairman

Report adopted.

February 11, 1974

Mr. Speaker: We, your Committee on Rules, having had under consideration

House Bill No. 1076, respectfully report as follows: That House Bill No. 1076 be rejected as it is designed to accomplish the same purpose as House Bill No. 162 which was killed in the last session and is, therefore, improperly introduced under Joint Rule 6-8 and cannot be considered during this session.

FASBENDER, Chairman

Report adopted.

February 9, 1974

Mr. Speaker: We, your Committee on Highways and Transportation, having had under consideration House Bill No. 1090, respectfully report as follows: That House Bill No. 1090 do pass.

LAAS, Chairman

Report adopted.

February 11, 1974

Mr. Speaker: We, your Committee on Rules, having had under consideration House Bill No. 1100, respectfully report as follows: That House Bill No. 1100 be rejected as it is designed to accomplish the same purpose as House Bill No. 467 which was killed in the last session and is, therefore, improperly introduced under Joint Rule 6-8 and cannot be considered during this session.

FASBENDER, Chairman

Report adopted.

February 11, 1974

Mr. Speaker: We, your Committee on Legislative Administration, recommend that the following be employed by the House of Representatives for the Second Regular session of the Forty-third Legislature, at the beginning of business February 11, 1974:

Janice Carter	Page
Paul Guttenberg	Page
Connie Torgerson	Page
Terri Pival	Page

At the beginning of business February 14, 1974, the following also be employed:

David Fender	Page
Laura Heck	Page
Robin Severns	Page
Lauri Trott	Page

At the close of business February 9, 1974, the following be terminated:

Robin Emge	Page
Robert Pennell	Page
Jancee Pust	Page
Anita Mackey	Page

At the close of business February 13, 1974, the following also be terminated:

Steve Hempleman	Page
Susie Jennings	Page
Nancy Morstad	Page
Anita Widhalm	Page

EDLAND, Chairman

Report adopted.

February 11, 1974

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 80, respectfully report as follows: That Senate Bill No. 80 be not concurred in.

YARDLEY, Vice-Chairman

February 11, 1974

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 81, respectfully report as follows: That Senate Bill No. 81 be not concurred in.

YARDLEY, Vice-Chairman

February 11, 1974

Mr. Speaker: We, your committee on Judiciary having had under consideration Senate Bill No. 331, respectfully report as follows: That Senate Bill No. 331 be amended on page 2, Section 1, Subsection (2), line 3 of the approved Interim Judiciary Committee bill after the material: "shovels," by deleting the word: "and", and

Be further amended on page 2, Section 2, line 3 of the approved Interim Judiciary Committee bill after the word: "drillers" by inserting the new material: "and special mobile equipment as defined in section 53-642, R.C.M. 1947", and

Be further amended on page 3, Section 3, Subsection (2), line 6 of the approved Interim Judiciary Committee bill after the word: "state" by inserting the new material ", except 'motorcycles' as defined in section 53-133(6), R.C.M. 1947.", and

Be further amended on page 4, line 7 of the approved Interim Judiciary Committee bill by inserting a new Section 4 to read as follows:

"Section 4. There is a new section to be numbered 40-5804, R.C.M. 1947, which reads as follows:

'40-5804. Damage to motor vehicle. A person, firm, corporation, state or local subdivision shall not recover from another person, firm, corporation, state or local subdivision, other than his own insurance company through first party coverage, for damages arising out of injury to or destruction of a motor vehicle except for damages intentionally caused by the person, firm, corporation, state or local subdivision from whom recovery is sought provided, however, this section shall not apply to damage which arises out of the ownership, operation, maintenance or use of a parked vehicle unless any of the following occur: (a) The vehicle was parked in such a way as to cause unreasonable risk of the damage which occurred.

(b) The injury was a direct result of physical contact with equipment permanently mounted on the vehicle while the equipment was being operated or used or property being lifted onto or lowered from the vehicle in the loading or unloading process.

(c) The damage was sustained by a person while occupying, entering into or alighting from the vehicle.", and renumber subsequent Sections and presently assigned statute numbers to conform numerically", and

Be further amended on page 4, present Section 5, line 21 of the approved Interim Judiciary Committee bill after the word: "section" by striking the number: "4" and inserting in lieu thereof the number: "5", and

Be further amended on page 7, Section 7, Subsection (c), line 7 of the approved Interim Judiciary Committee bill after the word: "section" by striking the number: "7" and inserting in lieu thereof the number: "8", and

Be further amended on page 7, Section 7, Subsection (e), line 18 of the approved Interim Judiciary Committee bill after the word: "section" by striking the number: "7" and inserting in lieu thereof the number: "8", and

Be further amended on page 6, Section 7, line 9 of the approved Interim Judiciary Committee bill after the word: "treasurer" by inserting the following new material: ". If proof is of motor vehicle liability insurance it must be", and

Be further amended on page 6, Section 7, line 13 of the approved Interim Judiciary Committee bill after the material: "sought." by inserting the new material: "If proof is of self-insurance, it must be in the form of a written certificate from the Montana Highway Patrol Chief indicating compliance with subparagraph (b) herein.", and

Be further amended on page 6, Section 7, line 13 of the approved Interim Judiciary Committee bill by adding an: "s" at the end of the word: "certificate", and

Be further amended on page 6, Section 7, line 14 of the approved Interim Judiciary Committee bill by adding a new Subsection (b) to read as follows: "(b) Security for the payment of the benefits set forth in this act may be provided with respect to any motor vehicle by any other method approved by the Montana Highway Patrol Board as affording security equivalent to that afforded by a policy of insurance, provided proof of such security is filed and continuously maintained with the Montana Highway Patrol Board throughout the registration period. The person filing such security shall have all of the obligations and rights of an insurer under this chapter. Whenever the context permits, the word: "insurer", as used in this chapter, includes any such person." and reletter the subsequent subparagraph accordingly, and

Be further amended on page 8, line 18 after the word and punctuation: "state." of the approved Interim Judiciary Committee bill by adding a new Section 10 to read as follows: "Section 10. There is a new section to be numbered 40-5810, R.C.M. 1947, which reads as follows:

'40-5810. (1) An assigned claims bureau and plan shall be organized and maintained. Insurers authorized to write motor vehicle liability insurance in this state are authorized, subject to approval and regulation by the commissioner of insurance, to organize and maintain an assigned claims bureau and an assigned claims plan, and to formulate and from time to time amend rules and regulations for their operations and the assessment of costs on a fair and equitable basis consistent with the provisions of this chapter. In default of the organization and continued maintenance of an assigned claims bureau and assigned claims plan, the commissioner of insurance shall organize and maintain such a bureau and plan.

(2) Every insurer writing motor vehicle liability insurance in this state is required to participate in the assigned claims bureau and the assigned claims plan.

(3) Persons entitled to claim through the assigned claims plan and the benefits to which they are entitled are as follows:

(a) Any person entitled to claim because of accidental bodily injury arising out of the ownership, operation, maintenance or use of a motor vehicle as a motor vehicle in this state may obtain insurance benefits set forth in Section 3 (2) (a) of this act through the assigned claims plan established pursuant to this chapter if:

(i) No motor vehicle liability insurance is applicable to the injury, or

(ii) No motor vehicle liability insurance applicable to the injury can be identified, or

(iii) The only identifiable motor vehicle liability insurance applicable to the injury is, because of financial inability of one or more insurers to fulfill their obligations, inadequate to provide benefits up to the maximum prescribed (in which last case all unpaid benefits due or coming due are subject to being collected under the assigned claims plan, and the insurer to which the claim is assigned, or the bureau of assigned claims if the claim is assigned to it, is entitled to reimbursement from the defaulting insurers to the extent of their financial responsibility).

(4) A person claiming through the assigned claims plan shall notify the bureau of his claim within the time that would have been allowed for filing an action for motor vehicle liability insurance benefits had there been in effect identifiable coverage applicable to the claim. The bureau shall promptly assign the claim in accordance with the plan and notify the claimant of the identity and address of the insurer to which the claim is assigned (or of the bureau if the claim is assigned to it). No action by the claimant shall be commenced later than thirty (30) days after receipt of notice of the assignment or the last date on which the action could have been commenced against an insurer of identifiable coverage applicable to the claim, whichever is later.

(5) The assignment of claims shall be made according to rules and regulations that assure fair allocation of the burden of assigned claims among insurers doing business in the state on a basis reasonably related to the volume of motor vehicle

liability insurance they write. Insurers to whom claims have been assigned shall make prompt payment of loss in accordance with the terms of this act and shall thereupon be entitled to reimbursement by the bureau for such payments and the established loss adjustment costs. The insurer to whom a claim is assigned shall preserve and enforce all rights to indemnity or reimbursement against third parties to the extent authorized by this act and account to the assigned claims bureau therefor.

(6) Losses paid, the cost of adjusting such losses and costs incurred in the operation of the bureau shall be assessed against insurers according to rules and regulations that assure fair allocation among insurers writing motor vehicle liability insurance in the state, on a basis reasonably related to the volume of personal protection insurance they write.", and renumber subsequent Sections and presently assigned statute numbers to conform numerically.", and

As amended, be concurred in.

YARDLEY, Vice-Chairman

Report adopted.

February 11, 1974

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration Senate Bill No. 490, respectfully report as follows: That Senate Bill No. 490 be concurred in.

STAIGMILLER, Chairman

Report adopted.

February 11, 1974

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration Senate Bill No. 548, respectfully report as follows: That Senate Bill No. 548 be concurred in.

Report adopted.

STAIGMILLER, Chairman

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 808 was adopted by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baucus, Bell, Bennetts, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Hager, Haines, Halvorson, Healy, Hodges, Holtz, Hubing, Jacobsen, Jones, Kessner, Kimble, Kolstad, Kosena, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lundgren, Lynch, McKittrick, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Smith, Staigmiller, Swanberg, Turman, Turner, Ulmer, Yardley, Mr. Speaker. Total 72.

Noes: Baeth, Barrett, Bradley, Cotton, H. Harper, R. Harper, Holmes, Huennekens, Johnston, Kendall, Mann, Manuel, Shelden, Stephens, Stoltz, Tierney, Towe. Total 17.

Excused: Hageman, Hall, Kvaalen, Lund, Walborn, Zimmer. Total 6.

Absent or not voting: Bardanouve, Gunderson, Selstad, Warfield, Watt. Total 5.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 826 was adopted by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Barrett, Baucus, Bell, Bennetts, Bradley, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, East, Edland, Ellerd, Fagg, Fleming, Flynn, Forsgren, Galt, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Huennekens, Jacobsen, Johnston, Kendall, Kessner, Kimble, Kolstad, Kosena, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lundgren, Lynch, McKittrick, Mann, Manuel, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye,

Seifert, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Towe, Ulmer, Warfield, Yardley, Mr. Speaker. Total 76.

Noes: Brand, Burnett, Glennen, Greely, Holtz, Jones, Marbut, Selstad, Tierney, Turman, Turner. Total 11.

Excused: Hageman, Hall, Kvaalen, Lund, Walborn, Zimmer. Total 6.

Absent or not voting: Bardanouve, Driscoll, Fasbender, Gunderson, Holmes, Hubing, Watt. Total 7.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 898 was adopted by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Bell, Bennetts, Bradley, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Haines, Halvorson, H. Harper, R. Harper, Healy, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kosena, Lee, Lien, Lockrem, Lombardi, Lucas, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Yardley, Mr. Speaker. Total 84.

Noes: Barrett, Brand, Cotton, Gunderson, Hager, Hodges. Total 6.

Excused: Hageman, Hall, Kvaalen, Lund, Walborn, Zimmer. Total 6.

Absent or not voting: Baucus, Kolstad, Laas, Watt. Total 4.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 919 was adopted by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Bell, Bennetts, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Ellerd, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Gunderson, Hager, Haines, Halvorson, Healy, Hodges, Holtz, Hubing, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kosena, Laas, Lee, Lockrem, Lombardi, Lucas, Lundgren, Lynch, Mann, Manuel, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Swanberg, Tierney, Ulmer, Warfield, Yardley, Mr. Speaker. Total 73.

Noes: Bradley, Brand, Brown, Fagg, Greely, H. Harper, R. Harper, Holmes, Huennekens, Kolstad, McKittrick, Marbut, Stoltz, Towe, Turman, Turner. Total 16.

Excused: Hageman, Hall, Kvaalen, Lund, Walborn, Zimmer. Total 6.

Absent or not voting: Baucus, Edland, Lien, Schye, Watt. Total 5.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 998 was adopted by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Bell, Burnett, Campbell, Castles, Clemow, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Hager, Haines, Halvorson, Healy, Holtz, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Laas, Lee, Lockrem, Lombardi, Lucas, Lundgren, McKittrick, Mann, Manuel, Marks, Mehrens, Menahan, Mercer, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Turner, Ulmer, Warfield, Yardley, Mr. Speaker. Total 70.

Noes: Bennetts, Bradley, Brand, Brown, Colberg, Fagg, Gunderson, H. Harper, R. Harper, Hodges, Holmes, Huennekens, Marbut, Murphy, Stoltz, Swanberg, Tierney, Towe, Turman. Total 19.

Excused: Hageman, Hall, Kvaalen, Lund, Walborn, Zimmer. Total 6.

Absent or not voting: Baucus, Hubing, Lien, Lynch, Watt. Total 5.

MESSAGES FROM THE OTHER HOUSE

February 9, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Joint Resolution was this day read three several times, and passed by a 36 to 11 roll call vote, title and history agreed to, and the resolution is herewith transmitted to the House for concurrence:

Senate Joint Resolution No. 51 introduced by Darrow, Flynn, et al

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

February 9, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bills and Resolution were this day read three several times, and passed, titles and history agreed to, and the bills and resolution are herewith transmitted to the House for concurrence:

Senate Bill No. 463 introduced by Lynch

Senate Bill No. 479 introduced by Moore

Senate Bill No. 489 introduced by Hazelbaker

Senate Bill No. 544 introduced by Hazelbaker

Senate Bill No. 553 introduced by Lynch and Moore

Senate Bill No. 634 introduced by McNamer and Turnage

Senate Bill No. 653 introduced by Lynch

Senate Bill No. 704 introduced by Moritz, Aber, et al

Senate Bill No. 709 introduced by McGowan, Manning, et al

Senate Joint Resolution No. 66 introduced by Boylan

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

MOTIONS

Colberg moved that House Bill No. 1030 be taken from Second Reading and re-referred to the Committee on Finance and Claims.

Motion carried.

Burnett moved that House Bill No. 917 be taken from Second Reading and re-referred to the Committee on Local Government.

Motion failed.

Fasbender moved that Senate Bill No. 473 be taken from the Committee on Rules and re-referred to the Committee on Highways and Transportation.

Motion carried.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following bills and resolutions were introduced, read first time and referred to committees:

Senate Joint Resolution No. 51, introduced by Darrow, Flynn, Moore, McOmber, Moritz, Graham, Turnage, Mathers, Northey, Broeder, Klindt, James, Lynch, Siderius, McKeon, Nees, DeWolfe, McGowan, Bollinger, Lowe, Breeden, Story, Shea, Hall, Drake, Bennett, Carl, Aber, McNamer, McCallum, Rosell, Deschamps, Hazelbaker, Jensen, Keenen, Devine, Vainio, Boylan, Manning, Sorensen, Bertsche, McDonald, Thiessen, Goodheart, Cochrane: A Joint Resolution of the Senate and the House of Representatives of the State of Montana submitting to the qualified electors of the State of Montana an amendment to Article V, Section 6 of the Constitution of the State of Montana providing that the legislature meet for not more than one hundred twenty (120) legislative days each biennium and removing the requirement of annual sessions. Referred to Committee on Constitution, Elections and Federal Relations.

Senate Bill No. 479, introduced by Moore: A bill for an act entitled: "An act amending Section 32-21-146, R.C.M. 1947, to establish a decibel noise limit for motorcycles." Referred to Committee on Public Health, Welfare and Safety.

Senate Bill No. 489, introduced by Hazelbaker: A bill for an act entitled: "An act amending Section 92-208, R.C.M. 1947, removing the discretion of the Division of Workmen's Compensation to review a corporate officer's election not to be bound; and providing a penalty for false statements." Referred to Committee on Labor and Employment Relations.

Senate Bill No. 544, introduced by Hazelbaker: A bill for an act entitled: "An act limiting the amount of an initial deposit premium under Plan No. 3 Workmen's Compensation Insurance, and amending Section 92-1103, R.C.M. 1947." Referred to Committee on Labor and Employment Relations.

Senate Bill No. 553, introduced by Lynch, Moore: A bill for an act entitled: "An act to provide for the regulation and licensing of persons practicing acupuncture in Montana; and providing penalties." Referred to Committee on Public Health, Welfare and Safety.

Senate Bill No. 634, introduced by McNamer, Turnage: A bill for an act entitled: "An act amending 67-2124, R.C.M. 1947, relating to the bond required to register a foreign subdivision for sale in Montana; and providing an effective date." Referred to Committee on Local Government.

Senate Bill No. 653, introduced by Lynch: A bill for an act entitled: "An act to reenact former Section 16-1031, R.C.M. 1947, which was repealed by Section 6 or Chapter 136, Laws of 1971, to provide for an alternate method to create garbage and ash disposal districts by counties which had created such districts prior to 1971, and providing for the method of creating, operating and financing said districts by a special assessment not to exceed three dollars (\$3) per month on the real property benefited by such service within such district." Referred to Committee on Local Government.

Senate Bill No. 704, introduced by Moritz, Aber, Bertsche, Manning: A bill for an act entitled: "An act to amend Section 82-1925, R.C.M. 1947, defining the word 'resident' under the Public Contractors' Preference Law; providing that suppliers whose offered materials are manufactured or produced in Montana with Montana labor shall be deemed to be residents." Referred to Committee on Labor and Employment Relations.

Senate Bill No. 709, introduced by McGowan, Manning, Sorensen, Moritz: A bill for an act entitled: "An act to amend Section 70-806, R.C.M. 1947, to permit the Board of Natural Resources and Conservation to waive the filing of an application where utilities are being relocated pursuant to Sections 32-2414 through 32-2416, R.C.M. 1947." Referred to Committee on Natural Resources.

Senate Joint Resolution No. 66, introduced by Boylan: A Joint Resolution of the Senate and the House of Representatives of the State of Montana calling for an interim study of all Montana laws relating to the sale and use of fireworks. Referred to Committee on Business and Industry.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Fasbender moved that the House resolve itself into a Committee of the Whole,

for the consideration of business on Second Reading under the rules of the previous sitting. Motion carried.

Lucas in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

February 11, 1974

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That House Bill No. 759 do pass. (83-3)

That House Bill No. 830 do pass. (87-0)

That House Bill No. 856 be placed below House Bill No. 877 on the board.

That House Bill No. 867 do pass. (84-0)

That House Bill No. 877 do pass. (85-1)

That House Bill No. 856 be amended in Section 1, page 2, line 5 of the introduced bill after the word: "designate" and before the word: "except" by inserting the following new material: "if the day so designated is also a legal holiday for federal employees," (77-3), and

As amended, do not pass. (53-37)

That House Bill No. 917 be amended in the introduced bill, line 10 by inserting the following new Section 1:

"Section 1. Section 75-5802, R.C.M. 1947, is amended to read as follows:

'75-5802. Election and qualification. A county superintendent shall be elected in each county of the state unless an alternative form of government has been adopted in the county or the office is consolidated among two or more counties. The county superintendent shall be elected at the general election preceding the expiration of the term of office of the incumbent.

Any person shall be qualified to assume the office of the county superintendent who:

(1) possesses the qualifications required by the constitution of the state of Montana;

(2) holds a valid teacher certificate issued by the superintendent of public instruction; and

(3) has not less than three (3) years of successful teaching experience." (70-8), and

Further amend in the introduced bill by changing the present "Section 1" to "Section 2" with the following changes in words and punctuation: line 10, change the word "cases" to "counties"; line 12, before the word: "subsections" add the words: "the above"; line 12, delete the words: "of section 75-5802, R.C.M. 1947" (75-3), and

As amended, do not pass. (66-20)

That House Bill No. 946 be amended in Section 2, Subsection (e), page 5, line 16 of the Second Reading bill by omitting the punctuation and words following the word: "structure", and reinstating the period, and

Further amend page 5 by omitting line 17 in its entirety, and

Further amend page 5 by omitting line 18 in its entirety (46-34), and

Further amend Section 2, page 5, line 18 by adding a new subsection to read as follows: "(f) Where two (2) or more faces, back to back, are supported by separate structures each shall be considered a single sign.", and

Further amend following the new subsection (f) by renumbering the subsections accordingly (71-5), and

As amended, do pass. (53-35)

That House Bill No. 994 do pass. (47-29)

Cox replaces Lucas in the Chair.

That House Bill No. 1041 do pass. (57-33)

Lucas resumes Chair.

That House Bill No. 1045 be amended in Section 1, Subsection 7, page 4, line 25 and page 5, line 1 by deleting: "two hundred dollars (\$200)" and inserting in lieu thereof: "one hundred and seventy five dollars (\$175)", and

Further amend Section 1, Subsection 7, page 5, line 10 by deleting: "in numbers larger" and inserting in lieu thereof the words: "to more" and by deleting the word: "ten" on line 10 and inserting in lieu thereof the words: "fourteen thousand (14,000) persons" and by deleting all of lines 11 and 12 (61-9), and

As amended, do pass. (57-23)

That House Bill No. 1079 be amended in Section 1, page 1, line 9 following the words and punctuation: "Section 1.", by inserting the following words and punctuation: "There is hereby created a new section of the Revised Codes of Montana to be numbered Section 4-409.2, to read as follows: 'Section 4-409.2'", and

Further amend Section 1, page 1, line 13 by striking the word: "sell" and inserting in lieu thereof: "allow the use and/or sale of", and

Further amend Section 1, page 1, line 16 following the word: "system" by adding the following words: "providing such liquor is not purchased by any unit of the university system, and providing any liquor remaining after any such function shall be immediately removed by the person or persons providing such liquor.

Section 2. No group without a direct affiliation with the university system may be scheduled for a private conference, convention, or gathering in any facility of the university system when local, commercial facilities are available. No group, organization, or association without direct affiliation with the university system may advertise or promote any facility of the university system in order to attract conventions, banquets, or gatherings.

Section 3. The restriction contained in section 4-415 shall not apply to a permit issued under this section." (62-11), and

As amended, do not pass. (56-32)

That House Resolution No. 53 be amended on page 4, line 10 by striking the word: "Secretary" and inserting in lieu thereof the words: "Chief Clerk" (75-0), and

As amended, be adopted. (85-0)

That House Joint Resolution No. 67 do pass. (75-0)

That House Joint Resolution No. 77 do pass. (75-0)

That Senate Bill No. 669 be amended in Section 1, page 1, line 13 following the word: "senate" by deleting the following words: "a sergeant-at-arms," and

Further amend Section 1, page 1, line 16 following the word: "clerk" by deleting the following words: "a sergeant-at-arms," (80-0), and

As amended, be concurred in. (79-0)

That Senate Amendments to House Bill No. 762 be concurred in. (78-1)

That Senate Amendments to House Bill No. 779 be concurred in. (84-0)

That the committee rise and report.

LUCAS, Chairman

Report adopted.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 765 was passed by the following vote:

Ayes: Aageson, Ainsworth, Baeth, Bardanouve, Barrett, Baucus, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Driscoll, Edland, Ellerd, Fasbender, Fleming, Flynn, Forsgren, Galt, Greely, Gunderson, Hager, H. Harper, R. Harper, Healy, Hodges, Holmes, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kimble, Kolstad, Kosen, Lee, Lien, Lombardi, Lynch, McKittrick, Manuel, Marbut, Marks, Menahan, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Shelden, Staigmillar, Stoltz, Swanberg, Towe, Turman, Turner, Warfield, Watt, Mr. Speaker. Total 68.

Noes: Asbjornson, Bell, Burnett, Cox, East, Glennen, Haines, Holtz, Hubing, Kessner, Kvaalen, Lockrem, Lucas, Lundgren, Mann, Mercer, Seifert, Selstad, Smith, Stephens, Tierney, Ulmer, Yardley. Total 23.

Excused: Hageman, Hall, Lund, Walborn, Zimmer. Total 5.

Absent or not voting: Fagg, Halvorson, Laas, Mehrens. Total 4.

House Bill No. 884 was passed by the following vote:

Ayes: Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bennetts, Bradley, Brown, Castles, Colberg, Cotton, Cox, Driscoll, Edland, Fasbender, Fleming, Flynn, Greely, Gunderson, Haines, H. Harper, R. Harper, Healy, Hodges, Holmes, Huennekens, Johnston, Kimble, Kosen, Lee, Lombardi, Lucas, Lynch, McKittrick, Mann, Marbut, Mehrens, Menahan, Murphy, Norman, Quilici, Regan, Roberts, Shelden, Stoltz, Swanberg, Tierney, Towe, Turman, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 55.

Noes: Aageson, Bell, Brand, Burnett, Campbell, Clemow, East, Ellerd, Forsgren, Galt, Glennen, Hager, Holtz, Hubing, Jacobsen, Jones, Kendall, Kessner, Kolstad, Kvaalen, Lien, Lockrem, Lundgren, Manuel, Marks, Mercer, Olson, Prevost, Rolfe, Schepens, Schye, Smith, Staigmillar, Stephens, Turner. Total 35.

Excused: Hageman, Hall, Lund, Walborn, Zimmer. Total 5.

Absent or not voting: Fagg, Halvorson, Laas, Seifert, Selstad. Total 5.

House Bill No. 989 was passed by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hager, Haines, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosen, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lundgren, Lynch, McKittrick, Mann, Manuel, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Seifert, Selstad, Shelden, Staigmillar, Stephens, Stoltz, Swanberg, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 88.

Noes: Ainsworth, Marbut, Schye, Tierney. Total 4.

Excused: Hageman, Hall, Lund, Walborn, Zimmer. Total 5.

Absent or not voting: Fagg, Halvorson, Smith. Total 3.

House Joint Resolution No. 57 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fasbender, Fleming, Flynn, Forsgren, Glennen, Greely, Gunderson, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosen, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens,

Menahan, Mercer, Murphy, Norman, Quilici, Regan, Roberts, Rolfe, Schepens, Seifert, Selstad, Shelden, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 87.

Noes: Brand, Burnett, Prevost, Schye. Total 4.

Excused: Hageman, Hall, Lund, Walborn, Zimmer. Total 5.

Absent or not voting: Fagg, Galt, Olson, Smith. Total 4.

House Joint Resolution No. 68 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Bennetts, Bradley, Brand, Brown, Campbell, Clemow, Colberg, Cox, Driscoll, East, Edland, Ellerd, Fasbender, Fleming, Forsgren, Glennen, Greely, Gunderson, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Norman, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Shelden, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 78.

Noes: Bell, Burnett, Castles, Cotton, Flynn, Galt, Holtz, Mercer, Olson, Selstad, Smith, Staigmiller, Stephens. Total 13.

Excused: Hageman, Hall, Lund, Walborn, Zimmer. Total 5.

Absent or not voting: Baucus, Fagg, Kolstad, Lundgren. Total 4.

Senate Bill No. 491 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 93.

Noes: None.

Excused: Hageman, Hall, Lund, Walborn, Zimmer. Total 5.

Absent or not voting: Fagg, Fasbender. Total 2.

Senate Bill No. 492 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 93.

Noes: None.

Excused: Hageman, Hall, Lund, Walborn, Zimmer. Total 5.

Absent or not voting: Fagg, Mehrens. Total 2.

Senate Bill No. 552 was concurred in by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 91.

Noes: Burnett. Total 1.

Excused: Hageman, Hall, Lund, Walborn, Zimmer. Total 5.

Absent or not voting: Ainsworth, Fagg, Smith. Total 3.

Senate Bill No. 607 was concurred in by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lynch, McKittrick, Mann, Manuel, Marbut, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley. Total 88.

Noes: Marks, Schye, Seifert. Total 3.

Excused: Hageman, Hall, Lund, Walborn, Zimmer. Total 5.

Absent or not voting: Ainsworth, Fagg, Lundgren, Mr. Speaker. Total 4.

REPORTS OF STANDING COMMITTEES

February 11, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill correctly enrolled: House Bill No. 778.

QUILICI, Chairman

February 11, 1974

I have examined House Bill No. 778 introduced by me and find the same to be correct.

KIMBLE

February 11, 1974

The following bill will be signed at adjournment on February 11, 1974, in the office of the Speaker of the House of Representatives: House Bill No. 778.

EDWIN A. SMITH, Chief Clerk
House of Representatives

February 11, 1974

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration House Bill No. 644, respectfully report as follows: That House Bill No. 644 do not pass.

GREELY, Vice-Chairman

February 11, 1974

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration House Bill No. 777, respectfully report as follows: That House Bill No. 777 do pass.

GREELY, Vice-Chairman

Report adopted.

February 11, 1974

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 786, respectfully report as follows: That House Bill No. 786 do pass.

MEHRENS, Chairman

Report adopted.

February 11, 1974

Mr. Speaker: We, your Committee on Labor and Employment Relations, having had under consideration House Bill No. 823, respectfully report as follows: That House Bill No. 823 do pass.

McKITTRICK, Chairman

Report adopted.

February 11, 1974

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 911, respectfully report as follows: That House Bill No. 911 be amended in the title on page 1, line 5 after the word: "abandonment" by inserting the following words: "pending a study", and

Be further amended in Section 2, page 1, line 23 after the year: "1947.", by inserting a new sentence to read as follows: "Pending a study of the need to preserve necessary branch lines and stations, which the department of intergovernmental relations shall submit to the second session of the forty-fourth legislature.", and

As amended, do not pass.

MEHRENS, Chairman

February 11, 1974

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration House Bill No. 916, respectfully report as follows: That House Bill No. 916 do pass.

GREELY, Vice-Chairman

Report adopted.

February 11, 1974

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 920, respectfully report as follows: That House Bill No. 920 be amended in Section 4 on page 4, line 8 after the words: "of the" by inserting the word: "projected", and

As amended, do pass.

MEHRENS, Chairman

Report adopted.

February 11, 1974

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration House Bill No. 948, respectfully report as follows: That House Bill No. 948 do not pass.

GREELY, Vice-Chairman

February 11, 1974

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration House Bill No. 1001, respectfully report as follows: That House Bill No. 1001 do not pass.

GREELY, Vice-Chairman

February 11, 1974

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 1029, respectfully report as follows: That House Bill No. 1029 do not pass.

MEHRENS, Chairman

February 11, 1974

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 1064, respectfully report as follows: That House Bill No. 1064 do not pass.

MEHRENS, Chairman

February 11, 1974

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 1065, respectfully report as follows: That House Bill No. 1065 do not pass.

MEHRENS, Chairman

February 11, 1974

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 1069, respectfully report as follows: That House Bill No. 1069 be amended in the title on line 8 after the word: "unclaimed" by omitting the word: "funds" and inserting the words: "winning ticket money", and

Be further amended on page 1, Section 1, line 17 after the word: "unclaimed" by inserting the words: "winning ticket", and

As amended, do pass.

MEHRENS, Chairman

Report adopted.

February 11, 1974

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 1082, respectfully report as follows: That House Bill No. 1082 be amended in Section 1, page 2, line 11 after the word: "establishments" by omitting the following material: "where one or more of the stores or establishments in the group", and inserting in lieu thereof the word: "which", and

Be further amended in Section 1, page 2, line 13 after the words: "excess of" by omitting the amount: "two hundred fifty thousand dollars (\$250,000)", and inserting in lieu thereof the amount: "three hundred fifty thousand dollars (\$350,000)", and

Be further amended in Section 1, page 3, line 2 after the word: "establishments" by omitting the following words: "where no single store or establishment in the group has" and inserting in lieu thereof the words: "which do not have", and

Be further amended in Section 1, page 3, line 4 by omitting the amount: "two hundred fifty thousand dollars (\$250,000)", and inserting in lieu thereof the amount: "three hundred fifty thousand dollars (\$350,000)", and

Be further amended in Section 1, page 3, line 6 after the word: "be", by omitting the amount: "six dollars (\$6)", and inserting in lieu thereof the amount: "eleven dollars (\$11)", and

Be further amended in Section 1, page 3, line 9 after the word: "be" by omitting the amount: "eight dollars and fifty cents (\$8.50)", and inserting in lieu thereof the amount: "thirteen dollars and fifty cents (\$13.50)", and

Be further amended in Section 1, page 3, line 11 after the word: "be" by omitting the amount: "sixteen dollars (\$16)", and inserting in lieu thereof the amount: "twenty-one dollars (\$21)", and

Be further amended in Section 1, page 3, line 13 after the word: "be" by omitting the amount: "twenty-three dollars and fifty cents (\$23.50)", and inserting in lieu thereof the amount: "twenty-eight dollars and fifty cents (\$28.50)", and

Be further amended in Section 1, page 3, line 15 after the word: "be" by omitting the amount: "thirty-one dollars (\$31)", and inserting in lieu thereof the amount: "thirty-six dollars (\$36)", and

Be further amended in Section 1, page 3, line 17 after the word: "be" by omitting the amount: "thirty-eight dollars and fifty cents (\$38.50)", and inserting in lieu thereof the amount: "forty-four dollars and fifty cents (\$44.50)", and

Be further amended in Section 1, page 3, after the material on line 18 by adding a new paragraph to read as follows: "For the purpose of determining the number of stores or units in the chain, all stores or units in the chain shall be included regardless of size even though one or more stores or units may be included in a different category for this license, provided the larger stores or units shall be counted last.", and

As amended, do pass.

MEHRENS, Chairman

Report adopted.

February 11, 1974

Mr. Speaker: We, your Committee on Labor and Employment Relations, having had under consideration House Bill No. 1091, respectfully report as follows: That House Bill No. 1091 be amended in the title on page 1, lines 4 and 5 after the word: "prohibit" by omitting the words: "inquiries by", and

Be further amended in the title on page 1, line 7 after the word: "applicants" by adding the words: "on the application form", and

Be further amended in the title on page 1, lines 8, 9, and 10 after the word: "application" by omitting the comma and words: ", and allowing the option of requiring both physical and/or mental examination to the licensing or employing entity", and

Be further amended on page 1, Section 1, line 15 after the word: "employment" by omitting the word: "will" and inserting in lieu thereof the word: "shall", and

Be further amended on page 1, Section 1, lines 18 through 22 after the word and punctuation: "application." by omitting the rest of Section 1 in its entirety, and

As amended, do pass.

McKITTRICK, Chairman

Report adopted.

February 11, 1974

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Resolution No. 46, respectfully report as follows: That House Resolution No. 46 be amended in page 1, line 12 after the word: "of" by omitting the word: "destroying", and inserting in lieu thereof the word: "abandoning", and

As amended, be adopted.

MEHRENS, Chairman

Report adopted.

February 11, 1974

Mr. Speaker: We, your Committee on Labor and Employment Relations, having had under consideration House Joint Resolution No. 51, respectfully report as follows: That House Joint Resolution No. 51 be amended in the title on page 1, line 8 after the word and figure: "two (2)" by adding the words and figure: "and under plan three (3)", and

Be further amended on page 1, line 16 after the word: "legislation" by omitting the period and inserting in lieu thereof the word and punctuation: "and," and

Be further amended on page 1, after line 17 by adding a new paragraph: "Whereas, problems have occurred in the area of claims adjustment," and

Be further amended on page 1, after line 23 by adding a new paragraph: "Be it further resolved, that the actions and methods of private claims adjusters be scrutinized in the study, and", and

As amended, be adopted.

McKITTRICK, Chairman

Report adopted.

February 11, 1974

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration House Joint Resolution No. 62, respectfully report as follows: That House Joint Resolution No. 62 be amended on page 1, lines 5 and 6 of the title by striking: "Select Committees of the Senate and House of Representatives" and insert in lieu thereof: "The Legislative Council", and

Be further amended on page 2 by deleting all the material contained in lines 11 through 17, and

Be further amended on page 2, line 18 by deleting: "Be it further resolved," and

Be further amended on page 2, line 18 by capitalizing the word: "That", and

Be further amended on page 2, lines 18 and 19 by striking: "respective select committees acting jointly" and insert in lieu thereof the words: "Legislative Council", and

As amended, do pass.

GREELY, Vice-Chairman

Report adopted.

February 11, 1974

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration House Joint Resolution No. 74, respectfully report as follows: That House Joint Resolution No. 74 do not pass.

GREELY, Vice-Chairman

Fasbender moved that the House adjourn until 1:30 p.m., February 12, 1974.

Motion carried.

House adjourned.

HAROLD E. GERKE, Speaker

EDWIN A. SMITH, Chief Clerk

THIRTY-SECOND LEGISLATIVE DAY

Helena, Montana
February 12, 1974

House Chambers
Capitol Building

House convened at 1:30 p.m., Mr. Speaker in the Chair.

Invocation by the Chaplain.

Pledge of Allegiance to the Flag.

Roll call. All members present except Ainsworth, Ellerd, Hall, Jones and Zimmer, all excused.

Quorum present.

Mr. Speaker: We, your Committee on Bills and Journal, having examined the daily journal for the Thirty-first Legislative Day, find the same to be correct.

QUILICI, Chairman

REPORTS OF STANDING COMMITTEES

February 12, 1974

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bill No. 687, do hereby report that said bill, together with a copy thereof, signed by the Speaker of the House and President of the Senate, was this day, at the hour of 9:20 o'clock, a.m., delivered to the Governor for his approval.

QUILICI, Chairman

February 12, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills and resolutions considered correctly engrossed: House Bill No. 759, House Bill No. 1041, House Joint Resolution No. 67, House Joint Resolution No. 77.

QUILICI, Chairman

February 11, 1974

reported February 12, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill correctly engrossed: House Bill No. 866.

QUILICI, Chairman

February 11, 1974

reported February 12, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly printed: House Bill No. 882, House Bill No. 888, House Bill No. 943, House Bill No. 958, House Bill No. 999, House Bill No. 1090.

QUILICI, Chairman

February 12, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly printed: House Bill No. 657, House Bill No. 712, House Bill No. 777, House Bill No. 786, House Bill No. 823, House Bill No. 916, House Bill No. 918, House Bill No. 933, House Bill No. 962, House Bill No. 1008, House Bill No. 1034, House Bill No. 1073, House Bill No. 1085.

QUILICI, Chairman

February 12, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills considered correctly engrossed: House Bill No. 830, House Bill No. 867, House Bill No. 994.

QUILICI, Chairman

February 11, 1974

The following bills were signed in the office of the Speaker of the House of Representatives on February 11, 1974: House Bill No. 872, House Bill No. 778, House Bill No. 743, House Bill No. 754, Senate Bill No. 465.

EDWIN A. SMITH, Chief Clerk
House of Representatives

February 11, 1974

Mr. Speaker: We, your Committee on Agriculture, Livestock and Irrigation, having had under consideration House Bill No. 895, respectfully report as follows: That House Bill No. 895 be amended in the introduced bill as follows:

Amend on page 1, line 5 of the title, after the word: "A" by striking the words and figures: "sixty dollar (\$60) fee" and inserting in lieu thereof the following words and figures: "forty dollar (\$40) tax", and

Further amend page 1, line 6 of the title, after the word: "of" by striking the word: "all" and inserting in lieu thereof the word: "certain", and

Further amend page 1, Section 1, line 9 by striking in its entirety everything after the enacting clause and inserting in lieu thereof the following new material:

"Section 1. Custom combiner's tax — collection — distribution — not transferable. (1) In lieu of the taxes required by Section 84-6008, R.C.M. 1947, motor vehicle license fees, Title 53, R.C.M. 1947, gross vehicle weight fees and over-width permits, Title 32, R.C.M. 1947, a nonresident engaged in the business of custom combining who brings equipment into the state of Montana shall pay a tax of forty dollars (\$40) per unit for a period beginning July 1 and ending October 31. A unit shall be defined as:

- (a) one (1) truck suitable for hauling grain,
- (b) one (1) header trailer or one (1) combine trailer, and
- (c) pickup trucks and all other equipment, except combines, used by a nonresident and brought into the state as part of his business of custom combining.

(2) The tax required by this section shall be collected by the department of highways. Upon payment of the tax the department of highways shall provide a prominent sticker to be displayed on each truck, header trailer or combine trailer and other equipment used by the nonresident in his business of custom combining in the state of Montana, which sticker shall be valid for a period beginning July 1 and ending October 31.

(3) All tax collected under this section shall be distributed not later than December 1 immediately following the period of license as follows: sixty-two and one-half percent (62 ½%) to the county general fund in the county in which the permittee declares the greatest amount of time will be spent to operate, thirty-seven and one-half percent (37 ½%) to the earmarked revenue fund for the department of highways.

(4) The identifying device and tax paid for each vehicle in a unit shall not be transferable from one vehicle to another or transferable on the sale or change of ownership.", and

As amended, do pass.

FLEMING, Chairman

Report adopted.

February 11, 1974

Mr. Speaker: We, your Committee on Labor and Employment Relations, having had under consideration House Bill No. 910, respectfully report as follows: That House Bill No. 910 be amended in the title on page 1, line 6 after the word: "plan" by omitting the words: "and authorizing the purchase of insurance and annuity contracts and mutual fund contracts", and

Be further amended on page 1, Section 1, lines 11 through 20 after the word: "may" by omitting the punctuation and word: ", by" on line 11 through and including the word: "state" on line 20 and inserting in lieu thereof the material: "establish, after reaching agreement with any employee or the employee's representative if one has been designated or certified, a program for employees to defer any portion of that employee's compensation up to the maximum allowed by the Internal Revenue Code in a plan qualified for exemption under applicable sections of the Internal Revenue Code", and

Be further amended on page 1, Section 2, lines 23, 24 and 25, and lines 1 through 4 on page 2 after the word: "employees" by omitting the word: "on" on line 23 through and including the word: "institution" on line 4, page 2, and inserting in lieu thereof the new material: "or the employee's representative if one has been designated or certified, on behalf of the state to defer any portion of that employee's compensation through any qualified plan agreed upon by the employee or his representative. The department of administration may establish rules and regulations for the proper operation of these plans", and

Be further amended on page 2, Section 3, line 5 after the word: "The" by omitting the word: "administration" and inserting in lieu thereof the word: "coordination", and

Be further amended on page 2, Section 3, line 11 after the word: "The" by omitting the word: "administrator" and inserting in lieu thereof the word: "coordinator", and

Be further amended on page 2, Section 5, line 23 after the word: "to" by omitting the word: "administer" and inserting in lieu thereof the word: "coordinate", and

Be further amended on page 2, Section 5, lines 24 and 25 and lines 1 and 2 on page 3, after the word: "make" by omitting the words: "payments of premiums for the purchase of fixed or variable life insurance or annuity contracts under the deferred compensation program" and inserting in lieu thereof the new material: "payments to qualified plans designated by this act", and

Be further amended on page 3, Section 6, line 7 after the word: "systems" by adding the words and punctuation: ", including plans qualifying under section 403(b) of the Internal Revenue Code of 1954.", and

Be further amended on page 3, Section 6, line 14 after the word and punctuation: "employee." by adding the new material: "For purposes of this act any qualified private pension plans now in existence shall qualify under this act.", and

Be further amended on page 3, lines 15 through 20 by omitting Section 7 in its entirety and inserting in lieu thereof the following new section: "Section 7. There shall be no financial liability of the state, county, city, town or other political subdivision for any losses incurred by any plan established under this act.", and

Be further amended on page 3, lines 21 through 25 and page 1, line 1 by adding a new Section 8 to read as follows: "It is the legislative intent of this act that all qualified deferred compensation plans shall be established only with companies, trusts or agents licensed to do business in the state of Montana.", and

Be further amended by renumbering the subsequent section to conform numerically, and

As amended, do pass.

McKITTRICK, Chairman

Report adopted.

February 11, 1974

Mr. Speaker: We, your Committee on Agriculture, Livestock and Irrigation, having had under consideration House Bill No. 981, respectfully report as follows: That House Bill No. 981 be amended in the introduced bill as follows:

Amend on page 2, after line 6 by adding a new Section 2 to read as follows:

"Section 2. This gasoline shall contain a minimum of ten percent (10%) blend of an agricultural ethyl alcohol which is at least one hundred ninety (190) proof.", and

As amended, do pass.

FLEMING, Chairman

Report adopted.

February 11, 1974

Mr. Speaker: We, your Committee on Agriculture, Livestock and Irrigation, having had under consideration House Bill No. 1025, respectfully report as follows: That House Bill No. 1025 do not pass.

FLEMING, Chairman

February 11, 1974

Mr. Speaker: We, your Committee on Agriculture, Livestock and Irrigation, having had under consideration House Joint Resolution No. 79, respectfully report as follows: That House Joint Resolution No. 79 do pass.

FLEMING, Chairman

Report adopted.

February 11, 1974

Mr. Speaker: We, your Committee on Agriculture, Livestock and Irrigation, having had under consideration House Resolution No. 51, respectfully report as follows: That House Resolution No. 51 be amended in the introduced bill as follows:

Amend page 1, line 8 of the title, after the word: "by" by inserting the following new material: "foreign and domestic", and

Further amend page 2, line 2 after the word: "by" by inserting the following new material: "foreign and domestic", and

As amended, be adopted.

FLEMING, Chairman

Report adopted.

February 11, 1974

Mr. Speaker: We, your Committee on Agriculture, Livestock and Irrigation, having had under consideration Senate Bill No. 582, respectfully report as follows: That Senate Bill No. 582 be concurred in.

FLEMING, Chairman

Report adopted.

February 11, 1974

Mr. Speaker: We, your Committee on Agriculture, Livestock and Irrigation, having had under consideration Senate Joint Resolution No. 43, respectfully report as follows: That Senate Joint Resolution No. 43 be concurred in.

FLEMING, Chairman

Report adopted.

Objection raised by Fagg on adverse committee report on House Bill No. 1029. Referred to Second Reading.

Objection raised by Kimble on adverse committee report on House Joint Resolution No. 74. Referred to Second Reading.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 644 was adopted by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Bardanouve, Barrett, Bell, Bennetts, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Fagg, Fleming, Flynn, Forsgren, Galt, Glennen, Gunderson, Hageman, Hager, Haines, Healy, Holmes, Holtz, Hubing, Jacobsen, Johnston, Kendall, Kessner, Kolstad, Kosena, Kvaalen, Lee, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Menahan, Mercer, Norman, Olson, Prevost, Quilici, Regan, Rolfe, Schepens, Seifert, Shelden, Smith, Stephens, Stoltz, Tierney, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 73.

Noes: Bradley, Greely, H. Harper, R. Harper, Hodges, Lien, Murphy. Total 7.

Excused: Ainsworth, Ellerd, Hall, Jones, Zimmer. Total 5.

Absent or not voting: Baucus, Burnett, Fasbender, Halvorson, Huennekens, Kimble, Laas, Mehrens, Roberts, Schye, Selstad, Staigmilller, Swanberg, Towe, Walborn. Total 15.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 911 was adopted by the following vote:

Ayes: Asbjornson, Bardanouve, Barrett, Baucus, Bell, Bennetts, Brown, Campbell, Castles, Clemow, East, Edland, Fagg, Fasbender, Fleming, Flynn, Forsgren, Glennen, Greely, Hageman, Haines, H. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Kendall, Kessner, Kimble, Kosena, Kvaalen, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmilller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 76.

Noes: Aageson, Baeth, Bradley, Brand, Burnett, Colberg, Cotton, Cox, Galt, Gunderson, Hager, R. Harper, Kolstad, Laas, Murphy. Total 15.

Excused: Ainsworth, Ellerd, Hall, Jones, Zimmer. Total 5.

Absent or not voting: Driscoll, Halvorson, Lynch, Walborn. Total 4.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 948 was adopted by the following vote:

Ayes: Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Campbell, Castles, Clemow, Colberg, Cotton, Cox, East, Edland, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Lee, Lien, Lombardi, Lucas, Lund, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmilller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 80.

Noes: Aageson, Fagg, H. Harper, R. Harper, Holtz, Rolfe. Total 6. .

Excused: Ainsworth, Ellerd, Hall, Jones, Zimmer. Total 5.

Absent or not voting: Brown, Burnett, Driscoll, Fasbender, Laas, Lockrem, Lundgren, Roberts, Walborn. Total 9.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 995 was adopted by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Barrett, Baucus, Bell, Brown, Burnett, Campbell, Clemow, Cotton, Cox, Driscoll, East, Edland, Fasbender, Fleming, Flynn, Forsgren, Glennen, Greely, Hageman, Hager, Haines, Halvorson, R. Harper, Healy, Hubing, Jacobsen, Johnston, Kendall, Kessner, Kimble, Kosena, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, McKittrick, Mann, Manuel, Marks, Mehrens, Menahan, Mercer, Norman, Olson, Prevost, Quilici, Regan, Rolfe, Schepens, Selstad, Shelden, Smith, Staigmilller, Stephens, Swanberg, Tierney, Turner, Ulmer, Yardley, Mr. Speaker. Total 66.

Noes: Bardanouve, Bennetts, Bradley, Brand, Colberg, Fagg, Galt, Gunderson, H. Harper, Hodges, Holmes, Holtz, Huennekens, Kolstad, Kvaalen, Marbut, Murphy, Roberts, Stoltz, Towe, Turman, Warfield, Watt. Total 23.

Excused: Ainsworth, Ellerd, Hall, Jones, Zimmer. Total 5.

Absent or not voting: Castles, Laas, Lynch, Schye, Seifert, Walborn. Total 6.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 1001 was adopted by the following vote:

Ayes: Asbjornson, Baeth, Bardanouve, Baucus, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Hageman, Haines, Halvorson, R. Harper, Healy, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Kendall, Kessner, Kimble, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Mehrens, Menahan, Mercer, Norman, Olson, Prevost, Quilici, Regan, Rolfe, Schepens, Schye, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turner, Ulmer, Warfield, Watt, Mr. Speaker. Total 78.

Noes: Aageson, Barrett, Bell, Gunderson, Hager, H. Harper, Hodges, Holtz, Kolstad, Marks, Murphy, Turman, Yardley. Total 13.

Excused: Ainsworth, Ellerd, Hall, Jones, Zimmer. Total 5.

Absent or not voting: Castles, Roberts, Seifert, Walborn. Total 4.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 1064 was adopted by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Bardanouve, Barrett, Bell, Brown, Burnett, Clemow, Cotton, Cox, East, Edland, Fagg, Fasbender, Flynn, Forsgren, Galt, Glennen, Gunderson, Hageman, Hager, Haines, Halvorson, Healy, Hubing, Jacobsen, Johnston, Kendall, Kessner, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marks, Mehrens, Menahan, Mercer, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Selstad, Smith, Stephens, Swanberg, Tierney, Turner, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 67.

Noes: Baucus, Bennetts, Bradley, Brand, Campbell, Driscoll, Greely, H. Harper, R. Harper, Hodges, Holmes, Huennekens, Kimble, Marbut, Murphy, Norman, Shelden, Stoltz, Towe, Turman. Total 20.

Excused: Ainsworth, Ellerd, Hall, Jones, Zimmer. Total 5.

Absent or not voting: Castles, Colberg, Fleming, Holtz, Schye, Seifert, Staigmiller, Walborn. Total 8.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 1065 was adopted by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Bardanouve, Barrett, Bell, Burnett, Campbell, Castles, Clemow, Colberg, Cox, East, Edland, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Gunderson, Hager, Halvorson, Healy, Holtz, Hubing, Jacobsen, Johnston, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, McKittrick, Mann, Manuel, Marks, Mehrens, Menahan, Mercer, Olson, Prevost, Quilici, Rolfe, Schepens, Schye, Selstad, Smith, Staigmiller, Stephens, Swanberg, Tierney, Towe, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 69.

Noes: Baucus, Bennetts, Bradley, Brand, Brown, Cotton, Driscoll, Fagg, Greely, Hageman, H. Harper, R. Harper, Hodges, Holmes, Huennekens, Marbut, Murphy, Norman, Regan, Roberts, Shelden, Stoltz, Turman. Total 23.

Excused: Ainsworth, Ellerd, Hall, Jones, Zimmer. Total 5.

Absent or not voting: Haines, Lynch, Seifert. Total 3.

In accordance with the 24 hour rule, the adverse committee report on Senate Bill No. 80 was adopted by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Gunderson, Hageman, Hager, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Yardley, Mr. Speaker. Total 88.

Noes: Greely, Watt. Total 2.

Excused: Ainsworth, Ellerd, Hall, Jones, Zimmer. Total 5.

Absent or not voting: Haines, Johnston, Lundgren, Seifert, Swanberg. Total 5.

In accordance with the 24 hour rule, the adverse committee report on Senate Bill No. 81 was adopted by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bennetts, Bradley, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 89.

Noes: Bell, Brand, Greely. Total 3.

Excused: Ainsworth, Ellerd, Hall, Jones, Zimmer. Total 5.

Absent or not voting: Lundgren, Schye, Swanberg. Total 3.

MESSAGES FROM THE OTHER HOUSE

February 9, 1974

Mr. President:

I am directed by the Speaker of the House of Representatives to return Senate Bill No. 463 for the purpose of correction of the original Senate Bill No. 463. It appears that with the striking through of "prisoners of war or" on page one, and "a prisoner of war or" on page three, that the bill has been altered. The Speaker does not feel that this bill can be considered properly in such form.

Respectfully,

EDWIN A. SMITH
Chief Clerk

February 12, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bill was this day read three several times, and passed, title and history agreed to, and the bill is herewith transmitted to the House for concurrence:

Senate Bill No. 463 introduced by Lynch

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

February 11, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read three times and concurred in as amended, titles and history agreed to and the said bills are herewith returned to the House for concurrence in Senate amendments:

House Bill No. 177 introduced by Laas

House Bill No. 298 introduced by Bardanouve, Haines, et al

House Bill No. 763 introduced by Fasbender and Swanberg

House Bill No. 822 introduced by Driscoll and Flynn

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

February 11, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day on Committee report, not concurred in, report adopted, and the bills are herewith returned to the House:

House Bill No. 44 introduced by Brand, Brown, et al

House Bill No. 202 introduced by Towe, Fagg, et al

House Bill No. 757 introduced by Cox, Lucas and Greely

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

February 11, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bills and Resolutions were this day read three several times, and passed, titles and history agreed to, and the bills and resolutions are herewith transmitted to the House for concurrence:

Senate Bill No. 570 introduced by Devine and Bertsche

Senate Bill No. 668 introduced by Flynn and Harrison

Senate Joint Resolution No. 48 introduced by Darrow, Lowe, et al

Senate Joint Resolution No. 68 introduced by Rosell, Hall and Gilfeather

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

MOTIONS

Fasbender moved that House Bill No. 221 be taken from Second Reading and re-referred to the Committee on Taxation. A roll call vote was requested by Lockrem, with the Ayes and Nays spread on the Journal. Sufficient seconds arose and the motion passed by the following vote:

Ayes: Baeth, Bardanouve, Baucus, Bennetts, Bradley, Brand, Colberg, Cotton, Driscoll, Edland, Fasbender, Fleming, Flynn, Greely, Gunderson, Hageman, Halvorson, R. Harper, Healy, Hodges, Holmes, Huennekens, Jacobsen, Johnston, Kendall, Kimble, Kosena, Laas, Lee, Lien, Lombardi, Lynch, McKittrick, Manuel, Mehrens, Menahan, Murphy, Norman, Prevost, Quilici, Regan, Roberts, Schepens, Shelden, Staigmiller, Stephens, Stoltz, Swanberg, Towe, Watt, Yardley, Zimmer, Mr. Speaker. Total 53.

Noes: Aageson, Ainsworth, Asbjornson, Barrett, Bell, Brown, Burnett, Campbell, Castles, Clemow, Cox, East, Ellerd, Fagg, Forsgren, Galt, Glennen, Hager, Haines, H. Harper, Holtz, Hubing, Jones, Kessner, Kolstad, Kvaalen, Lockrem, Lucas, Lund, Lundgren, Mann, Marbut, Marks, Mercer, Olson, Rolfe, Schye, Seifert, Selstad, Smith, Tierney, Turman, Turner, Ulmer, Walborn, Warfield. Total 46.

Paired: Stoltz, Yardley, Zimmer. Aye; Ainsworth, Ellerd, Jones, Nay.

Excused: Hall. Total 1.

Absent or not voting: None.

Yardley moved that House Bill No. 866 be taken from Third Reading and placed back on Second Reading.

Motion carried.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following bills and resolutions were introduced, read first time and referred to committees:

Senate Bill No. 570, introduced by Devine, Bertsche: A bill for an act entitled: "An act to prevent price discrimination in the sale of beer by brewers and beer wholesalers." Referred to Committee on Business and Industry.

Senate Bill No. 668, introduced by Flynn, Harrison: A bill for an act entitled: "An act to reduce the amount of good time allowance for habitual offenders; and amending Section 80-1905, R.C.M. 1947." Referred to Committee on Judiciary.

Senate Joint Resolution No. 48, introduced by Darrow, Lowe, Sorensen, James, Cochrane, McDonald, Keenan, Himsl, Flynn, Story, Breeden, Boylan, Zody, Thiesen, Turnage, Goodheart, Klindt, Mathers, Carl, Siderius, Vainio: A Joint Resolution of the Senate and the House of Representatives of the State of Montana repealing Rule 16-2.14(2)-S14210 of the Montana Administrative Code, concerning standards for food service establishments; and providing an effective date. Referred to Committee on Judiciary.

Senate Joint Resolution No. 68, introduced by Rosell, Hall, Gilfeather: A Joint Resolution of the Senate and the House of Representatives of the State of Montana directing the Priorities Committee to assign to an interim subcommittee a study of the existing laws of the State of Montana in order to determine what changes should be made in these laws in order to achieve the equality of the sexes under the Laws of Montana, and to report their findings and their proposals for changes in the law to the First Regular Session of the Forty-fourth Legislature. Referred to Committee on Judiciary.

Senate Bill No. 463, introduced by Lynch: A bill for an act entitled: "An act to amend Section 77-909, R.C.M. 1947, to permit the State Board of Education to waive all tuition and fees for attendance at any of the public units of higher education in Montana by dependents of those who are prisoners of war or missing in action as a result of the conflict in Southeast Asia." Referred to Committee on Education.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Fasbender moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading under the rules of the previous sitting.

Motion carried.

Murphy in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

February 12, 1974

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That House Bill No. 617 be passed for the day.

That House Bill No. 793 do pass. (83-2)

That House Bill No. 820 be held on Second Reading pending preparation of a new fiscal note.

That House Bill No. 840 do pass. (81-2)

That House Bill No. 882 be passed for the day.

That House Bill No. 885 do pass. (82-0)

That House Bill No. 888 do pass. (80-4)

That House Bill No. 943 do pass. (82-0)

That House Bill No. 944 do pass. (53-39)

That House Bill No. 958 do pass. (65-23)

That House Bill No. 988 do pass. (88-0)

That House Bill No. 990 do pass. (65-24)

That House Bill No. 999 be passed to the bottom of the board.

That House Bill No. 1009 do pass. (72-1)

That House Bill No. 1058 do pass. (61-8)

That House Bill No. 1068 do pass. (70-0)

That House Bill No. 1089 do pass. (79-0)

That House Bill No. 1090 do pass. (76-0)

That House Resolution No. 49 be adopted. (76-0)

That House Joint Resolution No. 66 do pass. (70-2)

That Senate Bill No. 331 be passed for the day.

That Senate Bill No. 490 be concurred in. (80-3)

That Senate Bill No. 548 be concurred in. (78-4)

That House Bill No. 999 be amended on page 9 by adding the following new section: "Section 6. Health Professional as used in this act shall include only those persons licensed in Montana as physicians, psychiatrists, psychologists or dentists." (77-2), and

As amended, do pass. (78-4)

That the committee rise and report.

MURPHY, Chairman

Report adopted.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House bill No. 635 was passed by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bennetts, Bradley, Brand, Brown, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Kendall, Kessner, Kolstad, Kosen, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Seifert, Shelden, Smith, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 87.

Noes: Selstad. Total 1.

Excused: Ainsworth, Ellerd, Hall, Jones, Zimmer. Total 5.

Absent or not voting: Bell, Burnett, Campbell, Kimble, Schye, Staigmiller, Walborn. Total 7.

House Bill No. 723 was passed by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Kendall, Kessner, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Seifert, Staigmiller, Stoltz, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 85.

Noes: Haines, Selstad, Shelden, Smith, Stephens. Total 5.

Excused: Ainsworth, Ellerd, Hall, Jones, Zimmer. Total 5.

Absent or not voting: Burnett, Kimble, Schye, Swanberg, Walborn. Total 5.

House Bill No. 806 was passed by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Kendall, Kessner, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 90.

Noes: Haines. Total 1.

Excused: Ainsworth, Ellerd, Hall, Jones, Zimmer. Total 5.

Absent or not voting: Burnett, Kimble, Schye, Walborn. Total 4.

House Bill No. 818 was passed by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Kendall, Kessner, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Seifert, Selstad, Shelden, Staigmiller, Stephens, Stoltz, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 89.

Noes: None.

Excused: Ainsworth, Ellerd, Hall, Jones, Zimmer. Total 5.

Absent or not voting: Burnett, Kimble, Schye, Smith, Swanberg, Walborn. Total 6.

House Bill No. 849 failed to pass by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Barrett, Bell, Brown, Burnett, Campbell, Castles, Clemow, Cox, East, Ellerd, Fleming, Flynn, Forsgren, Galt, Glennen, Hager, Haines, Halvorson, Holtz, Hubing, Johnston, Jones, Kessner, Kolstad, Kosena, Kvaalen, Laas, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Marks, Mercer, Olson, Rolfe, Schye, Seifert, Selstad, Smith, Turner, Ulmer, Walborn, Warfield. Total 48.

Noes: Baeth, Bardanouve, Baucus, Bennetts, Bradley, Brand, Colberg, Cotton,

Driscoll, Edland, Fagg, Fasbender, Greely, Gunderson, Hageman, H. Harper, R. Harper, Healy, Hodges, Holmes, Huennekens, Jacobsen, Kendall, Kimble, Lee, Lynch, McKittrick, Mann, Manuel, Marbut, Mehrens, Menahan, Murphy, Norman, Prevost, Quilici, Regan, Roberts, Schepens, Shelden, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Watt, Yardley, Zimmer, Mr. Speaker. Total 51.

Paired: Ainsworth, Asbjørnson, Burnett, Cox, Ellerd, Jones, Schye, Walborn, Aye; Bennetts, Kimble, Roberts, Swanberg, Towe, Turman, Watt, Zimmer, Nay.

Excused: Hall. Total 1.

Absent or not voting: None.

House Bill No. 859 was passed by the following vote:

Ayes: Aageson, Asbjørnson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Cotton, Cox, Driscoll, Edland, Fagg, Fasbender, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Jacobsen, Johnston, Kendall, Kessner, Kolstad, Kosen, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Seifert, Selstad, Shelden, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 83.

Noes: Colberg, Huennekens. Total 2.

Excused: Ainsworth, Ellerd, Hall, Jones, Zimmer. Total 5.

Absent or not voting: Burnett, East, Fleming, Hubing, Kimble, Lundgren, Olson, Schye, Smith, Walborn. Total 10.

House Bill No. 871 was passed by the following vote:

Ayes: Aageson, Asbjørnson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Fagg, Fasbender, Fleming, Flynn, Forsgren, Glennen, Greely, Gunderson, Hageman, Hager, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Huennekens, Jacobsen, Johnston, Kendall, Kosen, Kvaalen, Laas, Lee, Lien, Lombardi, Lucas, Lund, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Norman, Prevost, Quilici, Regan, Roberts, Schepens, Shelden, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 77.

Noes: Galt, Haines, Kolstad, Lockrem, Lundgren, Mercer, Olson, Rolfe, Seifert, Selstad, Smith. Total 11.

Excused: Ainsworth, Ellerd, Hall, Jones, Zimmer. Total 5.

Absent or not voting: Brown, Burnett, Hubing, Kessner, Kimble, Schye, Walborn. Total 7.

House Bill No. 899 was passed by the following vote:

Ayes: Aageson, Asbjørnson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Kendall, Kessner, Kolstad, Kosen, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Seifert, Selstad, Shelden, Smith, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 90.

Noes: None.

Excused: Ainsworth, Ellerd, Hall, Jones, Zimmer. Total 5.

Absent or not voting: Burnett, Kimble, Mann, Schye, Walborn. Total 5.

House Bill No. 914 was passed by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bradley, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Fasbender, Fleming, Flynn, Forsgren, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Jacobsen, Johnston, Kessner, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Roberts, Rolfe, Seifert, Selstad, Shelden, Smith, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 81.

Noes: Bennetts, Brand, Fagg, Galt, Huennekens, Kendall, Kolstad, Lynch, Regan, Schepens. Total 10.

Excused: Ainsworth, Ellerd, Hall, Jones, Zimmer. Total 5.

Absent or not voting: Burnett, Kimble, Schye, Walborn. Total 4.

House Bill No. 955 was passed by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, Edland, Fagg, Fasbender, Fleming, Flynn, Forsgren, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Huennekens, Jacobsen, Johnston, Kendall, Kessner, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Mehrens, Menahan, Mercer, Murphy, Norman, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Selstad, Shelden, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Warfield, Watt, Yardley, Mr. Speaker. Total 82.

Noes: East, Hubing, Lucas, Seifert, Ulmer. Total 5.

Excused: Ainsworth, Ellerd, Hall, Jones, Zimmer. Total 5.

Absent or not voting: Burnett, Galt, Kimble, Marks, Olson, Schye, Smith, Walborn. Total 8.

House Bill No. 1052 was passed by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Johnston, Kendall, Kessner, Kolstad, Kosena, Kvaalen, Laas, Lee, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Seifert, Shelden, Smith, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 86.

Noes: Edland, Holtz, Jacobsen, Lien. Total 4.

Excused: Ainsworth, Ellerd, Hall, Jones, Zimmer. Total 5.

Absent or not voting: Burnett, Kimble, Schye, Selstad, Walborn. Total 5.

Senate Bill No. 669 was concurred in by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Kendall, Kessner, Kolstad, Kosena, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Seifert, Selstad, Shelden, Smith, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 89.

Noes: Fagg. Total 1.

Excused: Ainsworth, Ellerd, Hall, Jones, Zimmer. Total 5.

Absent or not voting: Burnett, Kimble, Kvaalen, Schye, Walborn. Total 5.

Senate Amendments to House Bill No. 645 were concurred in by the following vote:

Ayes: Aageson, Asbjornson, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Johnston, Kendall, Kessner, Kosena, Kvaalen, Laas, Lee, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Quilici, Regan, Roberts, Rolfe, Seifert, Shelden, Smith, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 81.

Noes: Baeth, Brand, Edland, Gunderson, Jacobsen, Kolstad, Lien, Prevost, Schepens. Total 9.

Excused: Ainsworth, Ellerd, Hall, Jones, Zimmer. Total 5.

Absent or not voting: Burnett, Kimble, Schye, Selstad, Walborn. Total 5.

Senate Amendments to House Bill No. 762 were concurred in by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Cotton, Cox, Driscoll, East, Edland, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Kendall, Kessner, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Schepens, Seifert, Shelden, Smith, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 87.

Noes: Rolfe. Total 1.

Excused: Ainsworth, Ellerd, Hall, Jones, Zimmer. Total 5.

Absent or not voting: Bardanouve, Burnett, Colberg, Kimble, Schye, Selstad, Walborn. Total 7.

Senate Amendments to House Bill No. 779 were concurred in by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Kendall, Kessner, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Seifert, Shelden, Smith, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 90.

Noes: None.

Excused: Ainsworth, Ellerd, Hall, Jones, Zimmer. Total 5.

Absent or not voting: Burnett, Kimble, Schye, Selstad, Walborn. Total 5.

MESSAGES FROM THE OTHER HOUSE

February 12, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was this day read three times and concurred in as amended, title and history agreed to and the said bill is herewith returned to the House for concurrence in Senate amendments:

House Bill No. 386 introduced by Marbut, Haines, et al

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

REPORTS OF STANDING COMMITTEES

February 12, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills and resolutions correctly printed: House Joint Resolution No. 51, House Joint Resolution No. 62, House Resolution No. 46, House Bill No. 750, House Bill No. 846, House Bill No. 920, House Bill No. 1010, House Bill No. 1069, House Bill No. 1091, House Bill No. 795.

QUILICI, Chairman

February 12, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill considered correctly engrossed: House Bill No. 877.

QUILICI, Chairman

February 12, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following resolution correctly printed: House Joint Resolution No. 79.

QUILICI, Chairman

February 12, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills considered correctly engrossed: House Bill No. 793, House Bill No. 840, House Bill No. 885, House Bill No. 888, House Bill No. 943.

QUILICI, Chairman

February 12, 1974

I have examined House Resolution No. 53 introduced by me and find the same to be correct.

SEIFERT

February 12, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill correctly engrossed: House Bill No. 946.

QUILICI, Chairman

February 12, 1974

I have examined House Bill No. 300 introduced by me and find the same to be correct.

BARDANOUE

February 12, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill and resolution correctly enrolled: House Resolution No. 53, House Bill No. 300.

QUILICI, Chairman

February 12, 1974

The following bill and resolutions will be signed at adjournment on February 12, 1974, in the office of the Speaker of the House of Representatives: Senate Joint Resolution No. 50, House Resolution No. 53, House Bill No. 300.

EDWIN A. SMITH, Chief Clerk
House of Representatives

Objection raised by Towe on adverse committee report on House Bill No. 1076.
Referred to Second Reading.

February 12, 1974

Mr. Speaker: We, your Committee on Natural Resources, having had under consideration House Bill No. 550, respectfully report as follows: That House Bill No. 550 be amended by striking out everything after the enacting clause and inserting in lieu thereof the following material:

"Section 1. It is declared to be in the public interest to establish policies, make plans, and authorize and require counties to adopt shoreland zoning permit regulations for the efficient use, conservation, development and protection of this state's ponds, lakes and reservoirs. The regulations shall relate to lands under, abutting or lying close to ponds, lakes and reservoirs. The purposes of the regulations shall be to further the maintenance of safe and healthful conditions; prevent and control water pollution; protect spawning grounds, fish and aquatic life; control building sites, placement of structures, and land uses, and preserve shore cover and natural beauty.

Section 2. Unless the context clearly requires otherwise:

(a) 'Reservoir' means any reservoir which covers more than 200 acres at mean low water level, and which is identified by the board as an environmentally critical shoreland area.

(b) 'Lake' or 'pond' means any lake or pond identified by the board as having an environmentally critical shoreland area.

(c) 'Environmentally critical shoreland area' means an area where development could result in irreversible losses of important agricultural, aesthetic, cultural or historical values, or natural ecosystems which are of more than local significance, or where such development could unreasonably endanger life and property as a result of natural hazards. Such areas include:

(1) estuaries and shorelands of ponds, lakes and reservoirs that are relatively unspoiled by the works of man;

(2) areas of unstable soils;

(3) areas of high seismic risk;

(4) unique natural communities and ecosystems;

(5) significant agricultural, forest, grazing and watershed lands;

(6) scenic areas of more than local significance;

(7) significant historical and archeological sites;

(8) important fish and game habitat.

(d) 'Board' means the board of natural resources and conservation.

(e) 'Department' means the department of natural resources and conservation.

Section 3. (1) The department of natural resources, in cooperation with the department of state land, department of fish and game, city and county planning boards, other agencies, and affected property owners shall identify lakes, ponds, and reservoirs to be considered for management under this act. After a public hearing, the department of natural resources shall designate those lakes, ponds and reservoirs that are found to have environmentally critical shorelands areas.

(2) The department shall furnish to each county having such environmentally critical shorelands a map of such lakes, ponds, and reservoirs, and a copy of the department's minimum standards and criteria.

Section 4. To effect the purposes of this act counties shall, by resolution enacted under chapter 47, title 16, zone all environmentally critical shorelands in their unincorporated areas within five hundred (500) feet of the normal low-water elevation of ponds, lakes and reservoirs.

Section 5. If any county does not adopt an ordinance hereunder by January 1, 1975, or if the department of natural resources and conservation, after notice and hearing determines that a county has adopted an ordinance which fails to meet reasonable minimum standards in accomplishing shoreland protection objectives, the department shall itself take on this zoning responsibility under the following procedures:

(1) The department of natural resources and conservation shall proceed in substitution of the board of county commissioners under section 16-4705 except for subsection (3) thereof, and except that the creation of a zoning district shall not be affected by a protest as provided in subsection (6) thereof; but, instead the protest shall be addressed to the board of natural resources for review and decision.

(2) The department of natural resources and conservation may, in appropriate cases, and subject to appropriate conditions and safeguards, make special exceptions to the terms of the zoning resolution in harmony with its general purposes and intent and in accordance with the general or specific rules of this act.

(3) The board of natural resources and conservation shall act as a board of adjustments under section 16-4706 except for subsections (1), (2) and (7) thereof, for the purposes of this shoreline protection act.

(4) The department of natural resources and conservation may bring enforcement proceedings under section 16-4707.

Section 6. (1) The department of natural resources and conservation shall prepare and provide to boards of county commissioners or planning boards minimum standards for pond, lake and reservoir protection regulations and their administration.

(2) The standards and criteria shall give particular attention to:

- (a) safe and healthful conditions for the enjoyment of aquatic recreation;
- (b) the demands of water traffic, boating and water sports;
- (c) the capability of the water resource;
- (d) requirements necessary to assure proper operation of septic tank disposal fields near ponds, lakes and streams;
- (e) building setbacks from the water;
- (f) preservation of shore growth and cover;
- (g) conservancy uses for low-lying lands;
- (h) shoreland layouts for residential and commercial development;
- (i) restriction of filling ponds, lakes and reservoirs;
- (j) regulation of the construction and operation of wharves and docks;
- (k) forestry regulations supplied by the department's division of forestry;
- (l) range management practices supplied by the department's division of conservation;
- (m) wildlife management practices suggested by the department of fish and game.

(3) The regulation of siting and construction of structures shall be governed by the following standards:

(a) open space uses shall be generally preferred;

(b) uses not inherently a source of pollution within an area shall be preferred over uses that are or may be a pollution source. Use locations within an area tending to minimize the possibility of pollution shall be preferred over use locations tending to increase that possibility;

(c) use dispersions within an area shall be preferred over concentrations of uses or their undue proximity to each other.

Section 7. This act shall not apply to any land uses established prior to the date the county adopts the permit zoning regulations required by this act.

Section 8. Severability. Adjudication of invalidity of any section, clause, or part of a section of this act shall not impair or otherwise affect the validity of the act as a whole or any part thereof.

Section 9. This act is effective on passage and approval.", and

As amended, do pass.

SHELDEN, Chairman

Report adopted.

February 12, 1974

Mr. Speaker: We, your Committee on Rules, having had under consideration House Bill No. 698, respectfully report as follows: That House Bill No. 698 be amended as follows:

Amend the introduced bill, page 2, Section 2, lines 5 and 6 by striking the following material: "one hundred dollars (\$100) [(\$100.00).], and twenty-five dollars (\$25) for a special session." and inserting in lieu thereof the words: "the amount prescribed in the joint legislative rules.", and

Amend the introduced bill, page 2, Section 2, line 14 by striking the underscored words: "above-mentioned", and

Amend the introduced bill, page 3, Section 2, line 6 by striking the underscored word and punctuation: "follows:" and inserting in lieu thereof the words: "prescribed in the joint rules", and

Amend the introduced bill, page 3, Section 2, lines 7 through 11 by striking those lines in their entirety, and

Amend the introduced bill, page 3, Section 2, lines 16 and 17 by striking the words: "at ten cents (10¢) per single copy" and inserting in lieu thereof the words: "for a price per copy as prescribed in the joint rules", and

As amended, do pass.

(Material in brackets denotes cancelled type.)

FASBENDER, Chairman

Report adopted.

February 12, 1974

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 940, respectfully report as follows: That House Bill No. 940 be amended on page 2, Section 1, Subsection (1), line 2 after the word and punctuation: "administration." by adding the following new material: "Such examination fee shall be in addition to the application fee;", and

Be further amended on page 2, Section 1, after Subsection (1), line 3 by adding the following new material as new Subsection (2): "(2) All applicants, except applicants for temporary licenses, shall pay an initial application fee of one hundred dollars (\$100);", and

Be further amended on page 2, Section 1, lines 3 and 6 by renumbering Subsections (2) and (3) as Subsections (3) and (4) respectively, and

Be further amended on page 3, Section 2, line 13 after the word and period: "examination." by adding the following new material: "An examination fee shall be charged for each additional examination.", and

As amended, do pass.

LEE, Chairman

Report adopted.

February 9, 1974

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 991, respectfully report as follows: That House Bill No. 991 be amended on page 1, Section 1, line 13 after the word: "spouse" by adding the new material: "; this act is effective upon its passage and approval", and

As amended, do pass.

LEE, Chairman

Report adopted.

February 12, 1974

Mr. Speaker: We, your Committee on Natural Resources, having had under consideration House Bill No. 949, respectfully report as follows: That House Bill No. 949 be amended as follows:

Amend the original bill on page 2, Section 1, Subsection (1), lines 9 and 10 by omitting the words: "is hereby designated as the state agency authorized to" and inserting in lieu thereof the word: "may", and

Be further amended on page 2, Section 1, Subsection (1), line 11 by omitting the word: "a" and inserting in lieu thereof the word: "any", and

Be further amended on page 2, Section 1, Subsection (1), line 12 after the word: "public" by inserting the word: "recreational", and

Be further amended on page 2, Section 1, Subsection (1), line 12 by omitting the words: "stream adjudications" and inserting in lieu thereof the words: "existing right determinations", and

As amended, do pass.

SHELDEN, Chairman

Report adopted.

February 12, 1974

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 1003, respectfully report as follows: That House Bill No. 1003 be amended in the title on page 1, line 6 after the word: "counselor", by adding the following new material: ", and providing qualifications for such counselors", and

Be further amended on page 1, lines 9 through 25 and page 2, lines 1 through 17 by omitting Sections 1 through 5 in their entirety, and inserting in lieu thereof the following new sections:

"Section 1. Purpose of act. The state of Montana, recognizing the complexity and gravity of decisions associated with medical termination of pregnancy, declares it the policy of the state to provide for the accessibility of approved counseling services for any female resident of Montana who may request medical termination of her pregnancy. The policy stated in this act shall be a minimum standard for abortion counseling services and is not intended to limit the availability.

Section 2. Definitions. For the purposes of this act, the following terms are defined as follows: (1) Abortion is the intentional termination of pregnancy.

(2) The division is the division of maternal and child health care of the department of health and environmental sciences.

(3) Approved counselor is a person approved by the division for the counseling provided for in this act.

(4) Medical facility is any office, clinic, or hospital where abortion or the scheduling of abortion takes place.

(5) Priority appointment is any appointment with a counselor approved by the division for abortion counseling, which shall be arranged at the earliest reasonable time in the counselor's schedule.

Section 3. Purpose of counseling. The purpose of the counseling of patients considering abortion shall be: (a) to assist the patient in recognizing and evaluating all of the possible alternatives open to her;

(b) to encourage the patient to face and express her deep feelings in regard to the multiple aspects of abortion;

(c) to enhance the mental stability of the patient in regard to her decision;

(d) to encourage the responsible facing of any decision in regard to abortion at the earliest possible state of her pregnancy.

Section 4. Responsibility of the division. (1) The division shall approve persons who are able to provide effective consultation concerning abortion as abortion counselors. There shall be sufficient counselors approved to meet the demand for their services.

(2) The division shall prepare a list of approved counselors and disseminate it to the public through the assistance of cooperative physicians, medical facilities, social workers, school counselors, and other means deemed appropriate.

Section 5. Approval of counselors. (1) The division in consultation with the mental health division of the board of institutions, shall develop criteria and standards concerning the approval of counselors called for in this act. These criteria should include, but not be limited to, consideration of the following qualifications:

(a) proficiency, experience, and training in the field of counseling;

(b) understanding of the problems related to abortion;

(c) ability to remain objective in regard to the patient's choice of alternative courses of action;

(d) ability to hold in confidence all personal information revealed in or, in regard to counseling sessions.

(2) In its process of evaluating and approving counselors for the implementation of this act, the division shall cooperate with appropriate state agencies and local government subdivisions, subject to ethical considerations as practiced by accredited medical and therapeutic professions.

(3) Approved counselors for the purpose of this act may be chosen from among local representatives of such professions as: psychologists, social workers, clergymen, nurses, school counselors, mental health personnel, and family planning counselors.

(4) The division shall assist and make use of medically creditable resources offered by existing programs and agencies which deal with counseling.

(5) The division shall be responsible for re-evaluating the counseling services provided for in this act at intervals of not more than five years.

Section 6. Responsibility of medical facilities. (1) Upon first indication by a female patient or potential patient that medical termination of pregnancy is being considered, a physician or medical facility shall inform the patient of the availability of qualified counsel and shall, with the patient's approval, refer her to an approved counselor for a priority appointment.

(2) In the case of an unmarried minor, the physician, or medical facility, or their designate, shall make a priority appointment for the patient to meet with an approved counselor of the patient's choice.

Section 7. Minimum counseling services. (1) Minimum counseling services shall be provided to any pregnant woman residing in Montana who may express an interest in terminating her pregnancy.

(2) Minimum counseling services shall include, but may not be limited to, one counseling session before and one after a termination of pregnancy.

(3) If reasonable, and desired by the patient, the counselor may include the father of the unborn child or any other pertinent family members in a subsequent meeting with the patient.

(4) Where the person seeking the counseling cannot afford to pay the minimum fee, the division will find a counselor who is reasonably accessible for the patient who will provide counseling services at no cost.

Section 8. No abortion may be contingent upon completion of counseling except after the fifth month of pregnancy or the viability of the fetus, whichever comes first.", and

As amended, do pass.

LEE, Chairman

Report adopted.

February 12, 1974

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 1057, respectfully report as follows: That House Bill No. 1057 do not pass.

LEE, Chairman

February 12, 1974

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Joint Resolution No. 47, respectfully report as follows: That House Joint Resolution No. 47 do pass.

LEE, Chairman

Report adopted.

February 12, 1974

Mr. Speaker: We, your Committee on Natural Resources, having had under consideration House Joint Resolution No. 54, respectfully report as follows: That House Joint Resolution No. 54 be amended in the original bill on page 1, title, line 7 by omitting the words: "coal-based industrial", and

Be further amended on page 1, lines 24 and 25 by striking these lines in their entirety, and

As amended, be adopted.

SHELDEN, Chairman

Report adopted.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 862 was adopted by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brown, Campbell, Castles, Colberg, Cotton, Cox, Driscoll, East, Edland, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Kendall, Kessner, Kolstad, Kosena, Laas, Lee, Lien, Lombardi, Lucas, Lund, Lundgren, Lynch,

McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Olson, Prevost, Regan, Rolfe, Schepens, Seifert, Shelden, Smith, Staigmiller, Stephens, Stoltz, Tierney, Turman, Turner, Warfield, Watt, Yardley, Mr. Speaker. Total 80.

Noes: Ulmer. Total 1.

Excused: Ainsworth, Ellerd, Hall, Jones, Zimmer. Total 5.

Absent or not voting: Brand, Burnett, Clemow, Kimble, Kvaalen, Lockrem, Norman, Quilici, Roberts, Schye, Selstad, Swanberg, Towe, Walborn. Total 14.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 902 was adopted by the following vote:

Ayes: Baeth, Bardanouve, Baucus, Bennetts, Bradley, Campbell, Castles, Clemow, Colberg, Cotton, Driscoll, Edland, Fagg, Fasbender, Fleming, Flynn, Forsgren, Glennen, Gunderson, Hageman, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Huennekens, Jacobsen, Johnston, Kendall, Kessner, Kosena, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Mehrens, Menahan, Mercer, Olson, Prevost, Regan, Roberts, Rolfe, Schepens, Seifert, Shelden, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Watt, Yardley, Mr. Speaker. Total 70.

Noes: Aageson, Asbjornson, Barrett, Bell, Brown, Cox, East, Galt, Greely, Hager, Kolstad, Marks, Murphy, Smith, Warfield. Total 15.

Excused: Ainsworth, Ellerd, Hall, Jones, Zimmer. Total 5.

Absent or not voting: Brand, Burnett, Hubing, Kimble, Kvaalen, Norman, Quilici, Schye, Selstad, Walborn. Total 10.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 838 was adopted by the following vote:

Ayes: Baeth, Bardanouve, Baucus, Bennetts, Campbell, Driscoll, East, Edland, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Gunderson, Hageman, Hager, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holtz, Hubing, Jacobsen, Johnston, Kendall, Kessner, Kosena, Laas, Lee, Lockrem, Lombardi, Lucas, Lund, Lundgren, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Olson, Prevost, Roberts, Rolfe, Schepens, Seifert, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Turman, Turner, Warfield, Watt, Yardley, Mr. Speaker. Total 65.

Noes: Aageson, Asbjornson, Barrett, Bell, Bradley, Brown, Castles, Clemow, Colberg, Cotton, Greely, Holmes, Huennekens, Kolstad, Lynch, Regan, Towe, Ulmer. Total 18.

Excused: Ainsworth, Ellerd, Hall, Jones, Zimmer. Total 5.

Absent or not voting: Brand, Burnett, Cox, Haines, Kimble, Kvaalen, Lien, Norman, Quilici, Schye, Selstad, Walborn. Total 12.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 831 was adopted by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Bardanouve, Barrett, Bell, Castles, Clemow, Cox, Driscoll, East, Edland, Fagg, Fasbender, Flynn, Forsgren, Galt, Glennen, Hageman, Hager, Healy, Hodges, Holtz, Hubing, Jacobsen, Johnston, Kessner, Kolstad, Kosena, Laas, Lee, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marks, Mehrens, Mercer, Olson, Prevost, Quilici, Rolfe, Schepens, Seifert, Shelden, Smith, Staigmiller, Swanberg, Tierney, Turner, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 60.

Noes: Baucus, Bennetts, Bradley, Campbell, Colberg, Cotton, Greely, Gunderson, H. Harper, R. Harper, Holmes, Huennekens, Kendall, Marbut, Murphy, Regan, Roberts, Stephens, Stoltz, Towe, Turman. Total 21.

Excused: Ainsworth, Ellerd, Hall, Jones, Zimmer. Total 5.

Absent or not voting: Brand, Brown, Burnett, Fleming, Haines, Halvorson, Kimble, Kvaalen, Lien, Menahan, Norman, Schye, Selstad, Walborn. Total 14.

In accordance with the 24 hour rule, the adverse committee report on House Joint Resolution No. 46 was adopted by the following vote:

Ayes: Baeth, Bardanouve, Baucus, Bennetts, Bradley, Brown, Cotton, Driscoll, Edland, Fagg, Fasbender, Flynn, Forsgren, Greely, Gunderson, Hageman, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Jacobsen, Kendall, Kessner, Kosena, Laas, Lee, Lien, Lombardi, Lund, Lynch, McKittrick, Manuel, Marbut, Mehrens, Menahan, Murphy, Prevost, Regan, Roberts, Schepens, Shelden, Staigmilller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Warfield, Watt, Yardley, Mr. Speaker. Total 55.

Noes: Aageson, Asbjørnson, Barrett, Bell, Campbell, Castles, Clemow, Colberg, Cox, East, Fleming, Galt, Glennen, Hager, Holtz, Hubing, Huennekens, Johnston, Kolstad, Lockrem, Lucas, Mann, Marks, Mercer, Olson, Rolfe, Seifert, Smith, Ulmer. Total 29.

Excused: Ainsworth, Ellerd, Hall, Jones, Zimmer. Total 5.

Absent or not voting: Brand, Burnett, Holmes, Kimble, Kvaalen, Lundgren, Norman, Quilici, Schye, Selstad, Walborn. Total 11.

REPORTS OF STANDING COMMITTEES

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 897 was adopted by the following vote:

Ayes: Baeth, Bardanouve, Baucus, Bennetts, Bradley, Brown, Campbell, Clemow, Colberg, Driscoll, Edland, Fagg, Fasbender, Fleming, Galt, Greely, Gunderson, Hageman, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Huennekens, Jacobsen, Johnston, Kendall, Kessner, Kosena, Kvaalen, Laas, Lee, Lien, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Mehrens, Menahan, Murphy, Olson, Prevost, Roberts, Rolfe, Schepens, Seifert, Shelden, Staigmilller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turner, Warfield, Watt, Mr. Speaker. Total 64.

Noes: Aageson, Asbjørnson, Barrett, Bell, Castles, Cotton, Cox, East, Forsgren, Glennen, Hager, Hubing, Kolstad, Lockrem, Mann, Marks, Mercer, Regan, Smith, Turman, Ulmer, Yardley. Total 22.

Excused: Ainsworth, Ellerd, Hall, Jones, Zimmer. Total 5.

Absent or not voting: Brand, Burnett, Flynn, Kimble, Norman, Quilici, Schye, Selstad, Walborn. Total 9.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 1063 was adopted by the following vote:

Ayes: Asbjørnson, Baeth, Bardanouve, Barrett, Bell, Campbell, Castles, Clemow, Cotton, Cox, East, Edland, Fasbender, Forsgren, Galt, Glennen, Greely, Hageman, Hager, Haines, Halvorson, Healy, Holtz, Hubing, Jacobsen, Johnston, Kessner, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Mann, Manuel, Marks, Mehrens, Menahan, Mercer, Olson, Prevost, Regan, Rolfe, Schepens, Seifert, Selstad, Shelden, Smith, Staigmilller, Stephens, Swanberg, Tierney, Turner, Ulmer, Warfield, Watt, Mr. Speaker. Total 62.

Noes: Aageson, Baucus, Bennetts, Bradley, Colberg, Driscoll, Fagg, Fleming, Gunderson, H. Harper, R. Harper, Hodges, Holmes, Huennekens, Kendall, Marbut, Murphy, Roberts, Stoltz, Towe, Turman, Yardley. Total 22.

Excused: Ainsworth, Ellerd, Hall, Jones, Zimmer. Total 5.

Absent or not voting: Brand, Brown, Burnett, Flynn, Kimble, Lynch, McKittrick, Norman, Quilici, Schye, Walborn. Total 11.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 708 was adopted by the following vote:

Ayes: Aageson, Asbjørnson, Baeth, Bardanouve, Baucus, Bell, Bennetts, Brown,

Campbell, Castles, Clemow, Cox, Driscoll, East, Edland, Fasbender, Fleming, Flynn, Galt, Gunderson, Hageman, Haines, Halvorson, Healy, Hubing, Jacobsen, Johnston, Kendall, Kessner, Kosena, Kvaalen, Laas, Lee, Lien, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Regan, Roberts, Rolfe, Schepens, Seifert, Selstad, Shelden, Smith, Staigmilller, Stephens, Swanberg, Tierney, Turman, Turner, Watt, Mr. Speaker. Total 67.

Noes: Barrett, Bradley, Brand, Colberg, Cotton, Fagg, Forsgren, Glennen, Greely, Hager, H. Harper, R. Harper, Hodges, Holmes, Holtz, Huennekens, Kolstad, Lockrem, Stoltz, Towe, Ulmer, Warfield, Yardley. Total 23.

Excused: Ainsworth, Ellerd, Hall, Jones, Zimmer. Total 5.

Absent or not voting: Burnett, Kimble, Quilici, Schye, Walborn. Total 5.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 768 was adopted by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Brown, Clemow, Cox, Driscoll, East, Edland, Fagg, Fasbender, Flynn, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, H. Harper, Healy, Hodges, Hubing, Jacobsen, Johnston, Kessner, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marks, Mehrens, Menahan, Mercer, Norman, Olson, Prevost, Quilici, Roberts, Rolfe, Schepens, Seifert, Selstad, Shelden, Smith, Staigmilller, Stephens, Swanberg, Turner, Ulmer, Warfield, Watt, Mr. Speaker. Total 69.

Noes: Bradley, Brand, Campbell, Castles, Colberg, Cotton, Halvorson, R. Harper, Holmes, Holtz, Huennekens, Kendall, Marbut, Murphy, Regan, Stoltz, Tierney, Towe, Turman, Yardley. Total 20.

Excused: Ainsworth, Ellerd, Hall, Jones, Zimmer. Total 5.

Absent or not voting: Burnett, Fleming, Forsgren, Kimble, Schye, Walborn. Total 6.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 1033 was adopted by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Fagg, Fasbender, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Kendall, Kessner, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Seifert, Selstad, Shelden, Smith, Staigmilller, Stephens, Swanberg, Tierney, Turner, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 83.

Noes: Bradley, Brand, Lynch, Stoltz, Towe, Turman. Total 6.

Excused: Ainsworth, Ellerd, Hall, Jones, Zimmer. Total 5.

Absent or not voting: Brown, Burnett, Fleming, Kimble, Schye, Walborn. Total 6.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 1100 was adopted by the following vote:

Ayes: Aageson, Baeth, Bardanouve, Brand, Brown, Campbell, Cox, Driscoll, Fasbender, Flynn, Galt, Gunderson, Haines, Halvorson, Healy, Holmes, Hubing, Jacobsen, Johnston, Kendall, Kessner, Kolstad, Kosena, Kvaalen, Laas, Lee, Lombardi, Lucas, Lund, Lundgren, Lynch, Mann, Manuel, Marks, Mehrens, Menahan, Mercer, Murphy, Olson, Prevost, Quilici, Roberts, Schepens, Seifert, Selstad, Shelden, Smith, Staigmilller, Stephens, Tierney, Watt, Mr. Speaker. Total 52.

Noes: Asbjornson, Barrett, Baucus, Bell, Bennetts, Bradley, Castles, Clemow,

Colberg, Cotton, East, Edland, Fagg, Fleming, Forsgren, Glennen, Greely, Hageman, Hager, H. Harper, R. Harper, Hodges, Holtz, Huennekens, Lien, Lockrem, McKittrick, Marbut, Norman, Regan, Rolfe, Stoltz, Swanberg, Towe, Turman, Turner, Ulmer, Warfield, Yardley. Total 39.

Excused: Ainsworth, Ellerd, Hall, Jones, Zimmer. Total 5.

Absent or not voting: Burnett, Kimble, Schye, Walborn. Total 4.

Fasbender moved that the House adjourn until 12:00 noon, February 13, 1974.

Motion carried.

House adjourned.

HAROLD E. GERKE, Speaker

EDWIN A. SMITH, Chief Clerk

THIRTY-THIRD LEGISLATIVE DAY

Helena, Montana
February 13, 1974

House Chambers
Capitol Building

House convened at 12:00 noon, Mr. Speaker in the Chair.

Invocation by Reverend Glen McKerrow.

Pledge of Allegiance to the Flag.

Roll call. All members present except Ainsworth, Brand, Burnett, Ellerd, Hall, Jones and Zimmer, all excused.

Quorum present.

Mr. Speaker: We, your Committee on Bills and Journal, having examined the daily journal for the Thirty-second Legislative Day, find the same to be correct.

QUILICI, Chairman

REPORTS OF STANDING COMMITTEES

February 13, 1974

Mr. Speaker: We, your Committee on Bills, to whom were referred House Bill No. 743, House Bill No. 754, House Bill No. 778, House Bill No. 872, do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day, at the hour of 8:40 o'clock a.m., delivered to the Governor for his approval.

QUILICI, Chairman

February 13, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill correctly engrossed: House Bill No. 1045.

QUILICI, Chairman

February 13, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill and resolution correctly printed: House Bill No. 1082, House Joint Resolution No. 47.

QUILICI, Chairman

February 13, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills and resolution considered correctly engrossed: House Bill No. 944, House Bill No.

958, House Bill No. 988, House Bill No. 990, House Bill No. 1009, House Bill No. 1058, House Bill No. 1068, House Bill No. 1089, House Bill No. 1090, House Joint Resolution No. 66.

QUILICI, Chairman

February 13, 1974

The following bill will be signed at adjournment on February 13, 1974, in the office of the Speaker of the House of Representatives: Senate Bill No. 621.

EDWIN A. SMITH, Chief Clerk
House of Representatives

February 12, 1974

The following bill and resolutions were signed in the office of the Speaker of the House of Representatives on February 12, 1974: Senate Joint Resolution No. 50, House Resolution No. 53, House Bill No. 300.

EDWIN A. SMITH, Chief Clerk
House of Representatives

February 13, 1974

Mr. Speaker: We, your Committee on Legislative Administration, recommend that Edna Gunderson be reclassified as Assistant Public Information Supervisor, retroactive to January 7, 1974.

EDLAND, Chairman

Report adopted.

February 13, 1974

Mr. Speaker: We, your Committee on Taxation, having had under consideration House Bill No. 448, respectfully report as follows: That House Bill No. 448 be amended on the second reading bill by updating for the 1973 statutes, and

Be further amended on page 8, Section 1, line 17 after the word and punctuation: "Ten." by omitting the words: "Livestock in feed lots. Livestock means cattle, sheep or swine. Feed lot means any area or building where cattle, sheep or swine are corralled, housed, penned or otherwise confined from grazing, and the purpose of such confinement is to fatten the cattle, sheep or swine for slaughter and not to return them to grazing." and inserting in lieu thereof the words: "Cattle in feedlots. Feedlot means any area or building where cattle are corralled, housed, penned or otherwise confined from grazing, and the purpose of such confinement is to fatten the cattle for slaughter and not to return them to grazing, provided that any livestock assessed for the year under Class Three (3) shall not also be assessed under this class.", and

Be further amended on page 8, Section 1, line 24 after the figure: "(9)" by omitting the word and figure "ten (10)" and inserting in lieu thereof the word and figure "nine (9)", and

Be further amended on page 9, Section 2, line 6 after the word and punctuation: "follows:" by inserting the words: "(except that property in Class Ten (10) shall be taxed as provided therein:)", and

Be further amended on page 9, Section 2, line 24 after the figure: "(40%)" by omitting the following new material and striking the following existing material: "Ten percent (10%) of its true and full value," and inserting in lieu thereof the words: "One and one-quarter cents (1 1/4¢) per day per head.", and

As amended, do pass.

WATT, Chairman

Report adopted.

February 13, 1974

Mr. Speaker: We, your Committee on Taxation, having had under consideration

House Bill No. 638, respectfully report as follows: That House Bill No. 638 do not pass.

WATT, Chairman

February 13, 1974

Mr. Speaker: We, your Committee on Taxation, having had under consideration House Bill No. 639, respectfully report as follows: That House Bill No. 639 do not pass.

WATT, Chairman

February 13, 1974

Mr. Speaker: We, your Committee on Taxation, having had under consideration House Bill No. 656, respectfully report as follows: That House Bill No. 656 do not pass.

WATT, Chairman

February 13, 1974

Mr. Speaker: We, your Committee on Taxation, having had under consideration House Bill No. 1081, respectfully report as follows: That House Bill No. 1081 do pass.

WATT, Chairman

Report adopted.

February 13, 1974

Mr. Speaker: We, your Committee on Taxation, having had under consideration House Resolution No. 52, respectfully report as follows: That House Resolution No. 52 be adopted.

WATT, Chairman

Report adopted.

February 13, 1974

Mr. Speaker: We, your Committee on Taxation, having had under consideration Senate Bill No. 534, respectfully report as follows: That Senate Bill No. 534 be concurred in.

WATT, Chairman

Report adopted.

February 13, 1974

Mr. Speaker: We, your Committee on Taxation, having had under consideration Senate Bill No. 551, respectfully report as follows: That Senate Bill No. 551 be concurred in.

WATT, Chairman

Report adopted.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 1025 was adopted by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Barrett, Baucus, Bell, Bennetts, Bradley, Campbell, Castles, Clemow, Cox, Driscoll, Fagg, Fasbender, Flynn, Forsgren, Galt, Greely, Hager, Haines, H. Harper, Healy, Hodges, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Roberts, Schepens, Seifert, Selstad, Smith, Stephens, Stoltz, Tierney, Towe, Turner, Ulmer, Walborn, Watt, Yardley, Mr. Speaker. Total 71.

Noes: Cotton, Edland, Glennen, Hageman, Lien, Rolfe, Warfield. Total 7.

Excused: Brand, Ellerd, Hall, Jones, Zimmer. Total 5.

Absent or not voting: Bardanouve, Brown, Burnett, Colberg, East, Fleming, Gunderson, Halvorson, R. Harper, Holmes, McKittrick, Regan, Schye, Shelden, Staigmiller, Swanberg, Turman. Total 17.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 1057 was adopted by the following vote:

Ayes: Ageson, Baeth, Bardanouve, Bell, Brown, Campbell, Castles, Clemow, Cotton, Cox, Driscoll, East, Edland, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Hageman, Hager, Haines, Healy, Holtz, Hubing, Jacobsen, Johnston, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Seifert, Selstad, Shelden, Smith, Stephens, Stoltz, Swanberg, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 73.

Noes: Ainsworth, Greely, H. Harper, Huennekens, Marbut, Tierney, Towe. Total 7.

Excused: Brand, Ellerd, Hall, Jones, Zimmer. Total 5.

Absent or not voting: Asbjornson, Barrett, Baucus, Bennetts, Bradley, Burnett, Colberg, Gunderson, Halvorson, R. Harper, Hodges, Holmes, Schye, Staigmiller, Turman. Total 15.

Objection raised by Haines on adverse committee report on House Bills Nos. 638, 639 and 656. Referred to Second Reading.

MESSAGES FROM THE OTHER HOUSE

February 12, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day read three several times, and passed, title and history agreed to, and the bills are herewith transmitted to the House for concurrence:

Senate Bill No. 542 introduced by Bollinger and Graham

Senate Bill No. 640 introduced by McGowan, Drake, et al

Senate Bill No. 651 introduced by Bollinger and Sorensen

Senate Bill No. 691 introduced by Deschamps (by request)

Senate Bill No. 710 introduced by Drake, Hazelbaker, et al

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

February 12, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was this day on Committee of the Whole, not concurred in, report adopted, and the bill is herewith returned to the House:

House Bill No. 700 introduced by the Select Committee on Gambling

Respectfully yours,

JOHN N. HANSON

Secretary of the Senate

MOTIONS

Tierney, having voted on the prevailing side on the previous legislative day on Third Reading on House Bill No. 849, moved that the House reconsider its action.

Motion failed.

Towe, having voted on the prevailing side on the previous legislative day on an adverse committee report on House Bill No. 1065, moved that the House reconsider its action.

Haines moved the previous question.

Motion failed.

Gunderson moved that Senate Amendments to House Bill No. 386 be taken from Second Reading and re-referred to the Committee on Education.

Motion carried.

Fasbender moved that the rules be suspended and that House Bills Nos. 638, 639 and 656 be placed on Second Reading this day.

Motion carried.

Laas moved that House Bill No. 712 be taken from Second Reading and referred to the Committee on Rules.

Motion carried.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following bills were introduced, read first time and referred to committees:

Senate Bill No. 542, introduced by Bollinger, Graham: A bill for an act entitled: "An act amending Section 71-307, R.C.M. 1947, making it mandatory for the County Department of Public Welfare to have a recipient of general relief work if the county has work available which a recipient is capable of performing." Referred to Committee on Public Health, Welfare and Safety.

Senate Bill No. 640, introduced by McGowan, Drake, Thiessen, Lynch: A bill for an act entitled: "An act to empower the Board of Land Commissioners to lease geothermal resources on state lands." Referred to Committee on State Administration.

Senate Bill No. 651, introduced by Bollinger, Sorensen: A bill for an act entitled: "An act amending Section 59-539, R.C.M. 1947, to revise the computation of per diem allowance for travel of less than twenty-four (24) hours, changing required departure time from 8 to 7 a.m." Referred to Committee on State Administration.

Senate Bill No. 691, introduced by Deschamps (by request): A bill for an act entitled: "An act amending Sections 27-702, and 27-703, R.C.M. 1947, providing for a definition of honey and restricting the use of the word honey in food labeling and advertising." Referred to Committee on Business and Industry.

Senate Bill No. 710, introduced by Drake, Hazelbaker, Carl, James, Moore, Lynch, Shea, Zody: A bill for an act entitled: "Montana Model Life and Health Insurance Guaranty Association Act." Referred to Committee on Business and Industry.

House Bill No. 1114, introduced by Laas: A bill for an act entitled: "An act appropriating money to the Department of Intergovernmental Relations to provide supplemental funding for the Office of Rural Development Specialist." Referred to Committee on Finance and Claims.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Fasbender moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading under the rules of the previous sitting. Motion carried.

Ulmer in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

February 13, 1974

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That House Bill No. 638 do not pass. (52-44)

As a substitute motion, Haines moved that House Bill No. 638 do pass. A roll call vote was requested by Haines, with the Ayes and Nays spread on the Journal. Sufficient seconds arose and the motion failed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Barrett, Bell, Brown, Burnett, Campbell, Castles, Clemow, Cox, East, Ellerd, Fagg, Forsgren, Galt, Glennen, Hager, Haines, H. Harper, Holtz, Hubing, Johnston, Jones, Kessner, Kolstad, Kvaalen, Lockrem, Lucas, Lund, Lundgren, Mann, Marks, Mercer, Olson, Rolfe, Schye, Seifert, Selstad, Smith, Tierney, Turner, Ulmer, Walborn, Warfield. Total 45.

Noes: Baeth, Baucus, Bennetts, Bradley, Brand, Colberg, Cotton, Driscoll, Edland, Fasbender, Fleming, Flynn, Gerke, Greely, Gunderson, Hageman, Halvorson, R. Harper, Healy, Hodges, Holmes, Huennekens, Jacobsen, Kendall, Kimble, Kosena, Laas, Lee, Lien, Lombardi, Lynch, McKittrick, Manuel, Marbut, Mehrens, Menahan, Murphy, Norman, Prevost, Quilici, Regan, Roberts, Schepens, Shelden, Staigmilller, Stephens, Stoltz, Swanberg, Towe, Turman, Watt, Yardley, Zimmer. Total 53.

Paired: Ainsworth, Burnett, Ellerd, Jones, Aye; Brand, Murphy, Roberts, Zimmer, Nay.

Excused: Hall. Total 1.

Absent or not voting: Bardanouve. Total 1.

That House Bill No. 639 do not pass. (52-46)

As a substitute motion, Haines moved that House Bill No. 639 do pass. A roll call vote was requested by Haines, with the Ayes and Nays spread on the Journal. Sufficient seconds arose and the motion failed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Barrett, Bell, Brown, Burnett, Campbell, Castles, Clemow, Cox, East, Ellerd, Forsgren, Galt, Glennen, Hager, Haines, H. Harper, Holtz, Hubing, Johnston, Jones, Kessner, Kolstad, Kvaalen, Lockrem, Lucas, Lund, Lundgren, Mann, Marks, Mercer, Olson, Rolfe, Schye, Seifert, Selstad, Smith, Tierney, Turner, Ulmer, Walborn, Warfield. Total 44.

Noes: Baeth, Bardanouve, Baucus, Bennetts, Bradley, Brand, Colberg, Cotton, Driscoll, Edland, Fagg, Fasbender, Fleming, Flynn, Gerke, Greely, Gunderson, Hageman, Halvorson, R. Harper, Healy, Hodges, Holmes, Huennekens, Jacobsen, Kendall, Kimble, Kosena, Laas, Lee, Lien, Lombardi, Lynch, McKittrick, Manuel, Marbut, Mehrens, Menahan, Murphy, Norman, Prevost, Quilici, Regan, Roberts, Schepens, Shelden, Staigmilller, Stephens, Stoltz, Swanberg, Towe, Turman, Watt, Yardley, Zimmer. Total 55.

Paired: Ainsworth, Burnett, Ellerd, Jones, Tierney, Aye; Bennetts, Brand, Greely, Roberts, Zimmer, Nay.

Excused: Hall. Total 1.

Absent or not voting: None.

That House Bill No. 656 do not pass. (52-45)

As a substitute motion, Haines moved that House Bill No. 656 do pass. A roll call vote was requested by Haines, with the Ayes and Nays spread on the Journal. Sufficient seconds arose and the motion failed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Barrett, Bell, Brown, Burnett, Campbell, Castles, Clemow, Cox, East, Ellerd, Fagg, Forsgren, Galt, Glennen, Hager, Haines,

H. Harper, Holtz, Hubing, Johnston, Jones, Kessner, Kolstad, Kvaalen, Lockrem, Lucas, Lund, Lundgren, McKittrick, Mann, Marbut, Marks, Mercer, Olson, Rolfe, Schye, Seifert, Selstad, Smith, Tierney, Turman, Turner, Ulmer, Walborn, Warfield. Total 48.

Noes: Baeth, Bardanouve, Baucus, Bennetts, Bradley, Colberg, Cotton, Driscoll, Edland, Fleming, Flynn, Gerke, Greely, Gunderson, Hageman, Halvorson, R. Harper, Healy, Hodges, Holmes, Huennekens, Jacobsen, Kendall, Kimble, Kosena, Laas, Lee, Lien, Lombardi, Lynch, Manuel, Mehrens, Menahan, Murphy, Norman, Prevost, Quilici, Regan, Roberts, Schepens, Shelden, Staigmilller, Stephens, Stoltz, Swanberg, Towe, Watt, Yardley. Total 48.

Paired: Ainsworth, Burnett, Ellerd, Jones, Aye; Bradley, Edland, Jacobsen, Lien, Nay.

Excused: Brand, Hall, Zimmer. Total 3.

Absent or not voting: Fasbender. Total 1.

That House Bill No. 617 do pass. (79-1)

That House Bill No. 657 do pass. (76-0)

That House Bill No. 750 do not pass. (49-40)

That House Bill No. 777 do pass. (75-5)

That House Bill No. 786 do pass. (65-11)

That House Bill No. 795 do pass. (75-3)

That House Bill No. 823 be passed for the day.

That House Bill No. 846 be passed to the bottom of the board.

That House Bill No. 866 be amended in Section 1, Subsection 2, page 2, lines 6 and 7 of the third reading bill by reinstating the stricken language and punctuation: "the proper legal remedies in the state courts.", and

Further amend Section 1, Subsection 2, page 2, lines 10, 11 and 12 by reinstating the stricken language and figures: "such proceedings shall be commenced no later than sixty (60) days after the date of the decision of the superintendent of public instruction", and

Further amend Section 1, Subsection 2, page 2, lines 12 and 13 following the word: "instruction" by striking the following language, figures and punctuation: "judicial review as provided in sections 82-4216 and 82-4217, R.C.M. 1947" (77-2), and

As amended, do pass. (80-0)

That House Bill No. 882 be amended in Section 1, page 3, line 4 in the second reading bill after the word: "fund" by striking the words: "and shall be" and inserting in lieu thereof the following: ". It is the intent of the legislature that the fees derived pursuant to the provisions of this act be", and

Be further amended in Section 1, page 3, line 6 after the word and punctuation: "act." by striking the word: "It" and all of the language in lines 7 through 10, and

Be further amended in Section 1, page 3, after line 10 by adding the following new subsection: "(6) Each agency shall review and revise its rules imposing fees as prescribed by this act at least every two (2) years. Furthermore, each agency shall provide the legislature with a complete report on the fees collected prior to the time that a request for an appropriation of those fees is made to the legislature." (75-0), and

As amended, do pass. (48-45)

That House Bill No. 916 do pass. (67-1)

That House Bill No. 918 do pass. (73-11)

That House Bill No. 920 do pass. (71-5)

That House Bill No. 933 do pass. (75-0)

That House Bill No. 962 be passed for the day.

That House Bill No. 1008 do pass. (70-9)

That House Bill No. 1010 do pass. (85-0)

That House Bill No. 1029 be amended in Section 1, page 1, line 12 of the introduced bill by striking the figure: "20" and inserting in lieu thereof the figure: "17" (72-3), and

As amended, do not pass. (59-26)

Cox replaces Ulmer in the Chair.

That House Bill No. 1034 do pass. (77-2)

Ulmer resumes Chair.

That House Bill No. 1069 do pass. (62-8)

That House Bill No. 1073 do pass. (71-7)

That House Bill No. 1076 do not pass. (74-14)

That House Bill No. 1085 do pass. (75-0)

That House Bill No. 1091 do not pass. (55-30)

That House Resolution No. 46 be adopted. (79-0)

That House Joint Resolution No. 51 be amended in the first Whereas clause, page 1, line 15 after the figure: "(2)" by inserting the following new language: "and under Plan Three (3)", and

Further amend on page 1, line 25 after the figure: "(2)" by inserting the following new language: "and under Plan Three (3)" (67-1), and

As amended, do pass. (77-0)

That House Joint Resolution No. 62 be amended in the title, page 1, lines 5 through 7 of the second reading bill by deleting the words: "the legislative council" on lines 6 and 7 and reinserting the stricken material in lines 5 and 6 (60-5), and

Further amend the body of the resolution on page 2, lines 11 through 19 of the second reading bill by deleting the word: "that" on line 18 and by deleting the words: "legislative council" on line 19 and reinserting the stricken words on lines 11 through 19 (65-9), and

As amended, do pass. (60-14)

That House Joint Resolution No. 74 be passed for the day.

That House Joint Resolution No. 79 be passed for the day.

That Senate Bill No. 331 be passed for the day.

That Senate Bill No. 582 be concurred in. (86-0)

That Senate Joint Resolution No. 43 be concurred in. (76-1)

That Senate Amendments to House Bill No. 177 be concurred in. (76-0)

That Senate Amendments to House Bill No. 298 be concurred in. (78-0)

That Senate Amendments to House Bill No. 763 be concurred in. (80-0)

That Senate Amendments to House Bill No. 822 not be concurred in. (79-2)

That House Bill No. 846 be amended in Section 1, page 1, line 23 by striking the figures: "32-2124" and inserting in lieu thereof the figures: "32-2144" (66-2).

Burnett present at this time.

Further amend Section 6, page 3, line 10 by striking the words and figures: "one dollar (\$1)" and inserting in lieu thereof the words and figures: "five dollars (\$5)", and

Further amend on lines 11 and 12 by striking the words and figures: "one dollar (\$1)" and inserting in lieu thereof the words and figures: "five dollars (\$5)" (54-34), and

As amended, do pass. (71-21)

That the committee rise and report.

ULMER, Chairman

Roberts moved that House Bill No. 750 be segregated from the Committee of the Whole report and as amended, the Committee of the Whole report be adopted.

Motion carried.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 759 was passed by the following vote:

Ayes: Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Fagg, Fasbender, Fleming, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Johnston, Kendall, Kessner, Kimble, Kosena, Kvaalen, Laas, Lee, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Schepens, Seifert, Selstad, Shelden, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 84.

Noes: Aageson, Burnett, Flynn, Jacobsen, Kolstad, Lien, Rolfe, Smith, Walborn. Total 9.

Excused: Ainsworth, Brand, Ellerd, Hall, Jones, Zimmer. Total 6.

Absent or not voting: Schye. Total 1.

House Bill No. 793 was passed by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bradley, Brown, Burnett, Campbell, Castles, Clemow, Cotton, Cox, Driscoll, East, Edland, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Jacobsen, Johnston, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 89.

Noes: None.

Excused: Ainsworth, Brand, Ellerd, Hall, Jones, Zimmer. Total 6.

Absent or not voting: Bennetts, Colberg, Hubing, Huennekens, Schye. Total 5.

House Bill No. 830 was passed by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Kendall,

Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Seifert, Selstad, Shelden, Smith, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 91.

Noes: None.

Excused: Ainsworth, Brand, Ellerd, Hall, Jones, Zimmer. Total 6.

Absent or not voting: Marks, Schye, Turner. Total 3.

House Bill No. 840 was passed by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brown, Burnett, Campbell, Castles, Clemow, Cotton, Cox, Driscoll, East, Edland, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Quilici, Regan, Roberts, Rolfe, Schepens, Seifert, Selstad, Shelden, Smith, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 90.

Noes: None.

Excused: Ainsworth, Brand, Ellerd, Hall, Jones, Zimmer. Total 6.

Absent or not voting: Colberg, Holmes, Prevost, Schye. Total 4.

House Bill No. 867 was passed by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Seifert, Selstad, Shelden, Smith, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 93.

Noes: None.

Excused: Ainsworth, Brand, Ellerd, Hall, Jones, Zimmer. Total 6.

Absent or not voting: Schye. Total 1.

House Bill No. 877 was passed by the following vote:

Ayes: Aageson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, Edland, Fagg, Fasbender, Fleming, Flynn, Forsgren, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Kendall, Kessner, Kimble, Kosena, Kvaalen, Laas, Lee, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Seifert, Shelden, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 82.

Noes: Asbjornson, Burnett, Galt, Holtz, Kolstad, Lien, Mann, Marks, Smith. Total 9.

Excused: Ainsworth, Brand, Ellerd, Hall, Jones, Zimmer. Total 6.

Absent or not voting: East, Schye, Selstad. Total 3.

House Bill No. 885 was passed by the following vote:

Ayes: Ageson, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brown, Burnett, Campbell, Castles, Colberg, Cotton, Cox, Driscoll, East, Edland, Fagg, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Seifert, Selstad, Shelden, Smith, Staigmillier, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 89.

Noes: Stephens, Stoltz. Total 2.

Excused: Ainsworth, Brand, Ellerd, Hall, Jones, Zimmer. Total 6.

Absent or not voting: Clemow, Fasbender, Schye. Total 3.

House Bill No. 888 was passed by the following vote:

Ayes: Ageson, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brown, Burnett, Campbell, Castles, Colberg, Cox, Driscoll, East, Edland, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Greely, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Huennekens, Johnston, Kendall, Kessner, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marks, Mehrens, Menahan, Mercer, Murphy, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Selstad, Shelden, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 82.

Noes: Clemow, Cotton, Glennen, Gunderson, Hubing, Jacobsen, Kimble, Marbut, Norman, Seifert, Smith. Total 11.

Excused: Ainsworth, Brand, Ellerd, Hall, Jones, Zimmer. Total 6.

Absent or not voting: Schye. Total 1.

House Bill No. 943 was passed by the following vote:

Ayes: Ageson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bradley, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Seifert, Selstad, Shelden, Smith, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 91.

Noes: None.

Excused: Ainsworth, Brand, Ellerd, Hall, Jones, Zimmer. Total 6.

Absent or not voting: Asbjornson, Bennetts, Schye. Total 3.

House Bill No. 946 was passed by the following vote:

Ayes: Baeth, Bardanouve, Barrett, Baucus, Bradley, Brown, Castles, Clemow, Colberg, Cotton, Driscoll, Edland, Fagg, Fasbender, Fleming, Flynn, Forsgren, Gunderson, Hageman, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Huennekens, Jacobsen, Johnston, Kendall, Kimble, Kosena, Kvaalen, Laas, Lee, Lien, Lombardi, Lund, Lynch, McKittrick, Manuel, Marbut, Mehrens, Menahan, Murphy, Norman, Prevost, Quilici, Regan, Roberts, Schepens, Shelden, Staigmillier, Stoltz, Swanberg, Towe, Turman, Ulmer, Watt, Yardley, Mr. Speaker. Total 62.

Noes: Aageson, Asbjornson, Bell, Burnett, Campbell, Cox, East, Galt, Glennen, Hager, Hubing, Kessner, Kolstad, Lockrem, Lucas, Lundgren, Mann, Marks, Mercer, Olson, Rolfe, Seifert, Selstad, Smith, Tierney, Walborn, Warfield. Total 27.

Excused: Ainsworth, Brand, Ellerd, Hall, Jones, Zimmer. Total 6.

Absent or not voting: Bennetts, Greely, Schye, Stephens, Turner. Total 5.

House Bill No. 994 failed to pass by the following vote:

Ayes: Baeth, Bardanouve, Baucus, Bradley, Clemow, Colberg, Cotton, Driscoll, Fagg, Fasbender, Flynn, Galt, Greely, Gunderson, Hager, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Huennekens, Jacobsen, Kendall, Kimble, Kosena, Lee, Lombardi, Lucas, Lund, Marbut, Murphy, Norman, Regan, Roberts, Schepens, Shelden, Stoltz, Towe, Turman, Ulmer, Watt, Mr. Speaker. Total 43.

Noes: Aageson, Asbjornson, Barrett, Bell, Brown, Burnett, Campbell, Castles, Cox, East, Forsgren, Glennen, Hageman, Haines, Holtz, Hubing, Johnston, Kessner, Kolstad, Kvaalen, Laas, Lien, Lockrem, Lundgren, Lynch, McKittrick, Mann, Manuel, Marks, Mehrens, Menahan, Mercer, Olson, Prevost, Quilici, Rolfe, Seifert, Selstad, Smith, Staigmillier, Stephens, Swanberg, Tierney, Turner, Walborn, Warfield, Yardley. Total 47.

Excused: Ainsworth, Brand, Ellerd, Hall, Jones, Zimmer. Total 6.

Absent or not voting: Bennetts, Edland, Fleming, Schye. Total 4.

House Bill No. 1041 was passed by the following vote:

Ayes: Asbjornson, Baeth, Bardanouve, Baucus, Bradley, Brown, Colberg, Cotton, Driscoll, Fagg, Fasbender, Fleming, Flynn, Forsgren, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Hodges, Holmes, Huennekens, Jacobsen, Johnston, Kendall, Kimble, Kosena, Lien, McKittrick, Manuel, Marbut, Menahan, Murphy, Norman, Olson, Prevost, Regan, Roberts, Rolfe, Schepens, Shelden, Staigmillier, Stoltz, Swanberg, Towe, Turman, Ulmer, Watt, Yardley, Mr. Speaker. Total 53.

Noes: Aageson, Barrett, Bell, Burnett, Campbell, Castles, Clemow, Cox, East, Edland, Galt, Healy, Holtz, Hubing, Kessner, Kolstad, Kvaalen, Lee, Lockrem, Lombardi, Lucas, Lund, Lynch, Mann, Marks, Mehrens, Quilici, Seifert, Selstad, Smith, Stephens, Tierney, Turner, Walborn, Warfield. Total 35.

Excused: Ainsworth, Brand, Ellerd, Hall, Jones, Zimmer. Total 6.

Absent or not voting: Bennetts, Glennen, Laas, Lundgren, Mercer, Schye. Total 6.

House Joint Resolution No. 67 was passed by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Huennekens, Jacobsen, Johnston, Kendall, Kessner, Kimble, Kosena, Laas, Lee, Lien, Lombardi, Lucas, Lund, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Norman, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Seifert, Shelden, Smith, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Ulmer, Walborn, Watt, Yardley, Mr. Speaker. Total 81.

Noes: Burnett, Hubing, Kolstad, Kvaalen, Lockrem, Lundgren, Mercer, Olson, Selstad, Turner. Total 10.

Excused: Ainsworth, Brand, Ellerd, Hall, Jones, Zimmer. Total 6.

Absent or not voting: Brown, Schye, Warfield. Total 3.

House Joint Resolution No. 77 was passed by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East,

Edland, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Kendall, Kessner, Kimble, Kosen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Mehrens, Menahan, Mercer, Murphy, Norman, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Seifert, Selstad, Shelden, Staigmill, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 85.

Noes: Burnett, Kolstad, Kvaalen, Mann, Marks, Smith, Walborn. Total 7.

Excused: Ainsworth, Brand, Ellerd, Hall, Jones, Zimmer. Total 6.

Absent or not voting: Olson, Schye. Total 2.

Senate Bill No. 490 was concurred in by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Fagg, Fasbender, Fleming, Flynn, Forsgren, Glennen, Greely, Hageman, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Kendall, Kessner, Kimble, Kosen, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Seifert, Selstad, Shelden, Staigmill, Stephens, Swanberg, Tierney, Towe, Turman, Turner, Warfield, Watt, Yardley, Mr. Speaker. Total 83.

Noes: Burnett, Galt, Gunderson, Hager, Kolstad, Lucas, Stoltz, Ulmer, Walborn. Total 9.

Excused: Ainsworth, Brand, Ellerd, Hall, Jones, Zimmer. Total 6.

Absent or not voting: Schye, Smith. Total 2.

Senate Bill No. 548 was concurred in by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Kendall, Kessner, Kimble, Kolstad, Kosen, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Seifert, Selstad, Shelden, Smith, Staigmill, Stephens, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 90.

Noes: Burnett, Gunderson, Stoltz. Total 3.

Excused: Ainsworth, Brand, Ellerd, Hall, Jones, Zimmer. Total 6.

Absent or not voting: Schye. Total 1.

REPORTS OF STANDING COMMITTEES

February 13, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills and resolutions correctly printed: House Bill No. 891, House Bill No. 981, House Bill No. 1081, House Resolution No. 51, House Resolution No. 52.

QUILICI, Chairman

February 13, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills considered correctly engrossed: House Bill No. 617, House Bill No. 657, House Bill No. 777, House Bill No. 786, House Bill No. 795.

QUILICI, Chairman

February 13, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill correctly enrolled: House Bill No. 762.

QUILICI, Chairman

February 13, 1974

I have examined House Bill No. 762 introduced by me and find the same to be correct.

MANUEL

February 13, 1974

The following bill will be signed at adjournment on February 13, 1974, in the office of the Speaker of the House of Representatives: House Bill No. 762.

EDWIN A. SMITH, Chief Clerk
House of Representatives

February 13, 1974

Mr. Speaker: We, your Committee on Rules, having had under consideration the question of whether or not more than one subject is contained in House Bill No. 712, respectfully report as follows: That House Bill No. 712 will be returned to Second Reading without a determination by Rules of the question of whether more than one subject is contained in the bill.

FASBENDER, Chairman

Report adopted.

February 13, 1974

Mr. Speaker: We, your Committee on Natural Resources, having had under consideration House Bill No. 924, respectfully report as follows: That House Bill No. 924 be amended in the original bill as follows:

Amend on page 1, line 4 of the catchline by omitting: "89-3503" and inserting in lieu thereof: "89-3502", and

Be further amended on page 1, title, line 16 following the word: "systems" by inserting the punctuation and words: "; and providing an effective date", and

Be further amended on page 4, after line 21 by inserting a new Section 2 to read as follows: "Section 89-3502, R.C.M. 1947, is amended to read as follows:

'89-3502. Policy and purposes. The policy and purposes of this act are to guide development of the floodway areas of this state consistent with the enumerated findings; to recognize the right and need of watercourses to periodically carry more than the normal flow of water; to provide state co-ordination and technical assistance to local units in management of floodway areas; to co-ordinate federal, state and local management activities for floodway areas; to encourage local governmental units to manage flood-prone lands including the adoption, enforcement and administration of land-use regulations and to provide the Montana water resources board with authority necessary to carry out a comprehensive floodway management program for the state.

Specifically, it is the purpose of this act to:

(1) restrict or prohibit uses which are dangerous to health, safety of property in times of flood or cause increased flood heights or velocities;

(2) require that uses vulnerable to floods, including public facilities which serve such uses, be provided with flood protection at the time of initial construction;

(3) develop and provide information to identify lands which are unsuited for certain development purposes because of flood hazard;

(4) distinguish between the land-use regulations applied to the designated floodway and those applied to that portion of the designated floodplain not contained within the designated floodway;

(5) apply more restrictive land-use regulations within the designated floodway;

(6) ensure that regulations and minimum standards adopted under this act, insofar as possible, balance the greatest public good with the least private injury.”, and renumber the subsequent sections accordingly, and

Be further amended on page 4, former Section 2, present Section 3, line 25 by inserting after the number and punctuation: “(1)” the letter and punctuation: “(a)”, and

Be further amended on page 5, former Section 2, present Section 3, after line 8 by inserting the following new subsection:

“(b) Before the board establishes by order a designated floodplain or a designated floodway, the department shall consult with the affected political subdivisions. Consultation shall include, but not be limited to, the following:

(i) specifically requesting that the political subdivisions submit pertinent data concerning flood hazards, including flooding experiences, plans to avoid potential hazards, estimates of economic impacts of flooding on the community, both historical and prospective, and such other data as considered appropriate;

(ii) notifying local officials, including members of the county commission, city council and planning board, of the progress of surveys, studies and investigations and of proposed findings, along with information concerning data and methods employed in reaching such conclusions; and

(iii) encouraging local dissemination of information concerning surveys, studies and investigations, so that interested persons will have an opportunity to bring relevant data to the attention of the department.”, and

Be further amended on page 6, former Section 2, Subsection (2), new Section 3, line 3 after the word and punctuation: “act.”, by inserting the following material: “In adopting these standards, rules, and regulations, the board shall consider local input from the affected political subdivisions.”, and

Be further amended on page 8, former Section 4, Subsection (1), new Section 5, line 20 after the word: “designated” by inserting the words: “floodplain or a designated”, and

Be further amended on page 9, former Section 4, Subsection (2), new Section 5, line 7 by omitting: “designated floodplain and the”, and

Be further amended on page 9, former Section 4, following Subsection (2), new Section 5, after line 24 by inserting the following new Subsection (3):

“(3) Permits shall be granted for the following uses within that portion of the floodplain not contained within the designated floodway, to the extent that they are not prohibited by any other ordinance, regulation or statute:

(a) any use permitted in the designated floodway;

(b) structures, including, but not limited to, residential, commercial, and industrial structures, provided that:

(i) such structures meet the minimum standards adopted by the board;

(ii) residential structures are constructed on fill such that the lowest floor elevation (including basements) is two (2) feet above the one hundred (100)-year flood elevation;

(iii) commercial and industrial structures are either constructed on fill as specified in subparagraph (ii) above, or are adequately flood-proofed up to an elevation no lower than two (2) feet above the one hundred (100)-year flood elevation. Such floodproofing shall be in accordance with the minimum standards adopted by the board.”, and renumber the subsequent subsection accordingly, and

Be further amended on page 13, former Section 7, present Section 8, line 9 by striking the word: "its" and inserting in lieu thereof the words and punctuation: "or the responsible political subdivision, or", and

Be further amended on page 13, former Section 7, present Section 8, line 10 following the word: "employees" by inserting the word: "thereof", and

As amended, do pass.

SHELDEN, Chairman

Report adopted.

February 13, 1974

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration House Bill No. 926, respectfully report as follows: That House Bill No. 926 be amended on page 2, line 1 by striking: "hundred (100)" and inserting in lieu thereof the words and number: "thousand (1000)", and

As amended, do pass.

GREELY, Vice-Chairman

Report adopted.

February 13, 1974

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration House Bill No. 1020, respectfully report as follows: That House Bill No. 1020 be amended in the introduced bill, page 15, line 12 after Section 5 by inserting the following section and renumbering the remaining section:

"Section 6. Public employees prohibited from campaigning during working hours — display of campaign material on public property prohibited. (1) No public employee may solicit money, influence, service, or any other thing of value or otherwise aid or promote any political committee, issue to be voted on by the people, or the nomination or election of any person to public office while on the job during working hours.

(2) No person may attempt to coerce, command or require a public employee to influence or give money, service or other thing of value to aid or promote any political committee, issue to be voted on by the people, or to aid to promote the nomination or election of any person to public office.

(3) No person may exhibit upon state property a poster, sign, sticker, or notice of any description containing political matters, arguments, symbols, or other information designed to influence the result of an election or to promote or oppose an issue to be voted on by the people. State property includes but is not limited to buildings, equipment, and vehicles owned or leased by the state.

(4) Nothing contained in this section shall be construed to restrict the right of a public employee to express his personal political views while not on the job during working hours.

(5) A person convicted of violating this section shall be fined not to exceed five hundred dollars (\$500) or imprisoned not to exceed six (6) months in the county jail or both.

Section 7.", and

As amended, do pass.

GREELY, Vice-Chairman

Report adopted.

February 13, 1974

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration House Joint Resolution No. 69, respectfully report as follows: That House Joint Resolution No. 69 do pass.

GREELY, Vice-Chairman

Report adopted.

February 12, 1974

Mr. Speaker: We, your Committee on State Administration, having had under consideration Senate Bill No. 484, respectfully report as follows: That Senate Bill No. 484 be concurred in.

BRAND, Chairman

Report adopted.

February 12, 1974

Mr. Speaker: We, your Committee on State Administration, having had under consideration Senate Bill No. 575, respectfully report as follows: That Senate Bill No. 575 be concurred in.

BRAND, Chairman

Report adopted.

February 12, 1974

Mr. Speaker: We, your Committee on State Administration, having had under consideration Senate Bill No. 576, respectfully report as follows: That Senate Bill No. 576 be concurred in.

BRAND, Chairman

Report adopted.

February 12, 1974

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 665, respectfully report as follows: That House Bill No. 665 be amended in the title, page 1, lines 9 and 10 following the word: "for" by omitting the words: "the municipal audit division of", and

Be further amended on page 2, Section 1, Subsection (2), lines 12 and 13 by omitting the words: "the municipal audit division of", and

Be further amended on page 2, Section 1, Subsection (2), line 14 by omitting the word and figure: "December 1" and inserting in lieu thereof the word and figure: "October 1", and

Be further amended on page 2, Section 1, Subsection (2), lines 15 and 16 by omitting the punctuation and words: ", an actuarial valuation of the funds of the association prepared by a qualified actuary." and inserting in lieu thereof the following: "all information requested by the department of intergovernmental relations necessary to complete an actuarial valuation of the funds of the association. This valuation is to be prepared by a qualified actuary selected by the department of intergovernmental relations.", and

Be further amended on page 2, Section 1, Subsection (2), line 18 by omitting the word: "associationcs" and inserting in lieu thereof the word: "associations", and

Be further amended on page 2, Section 1, Subsection (2), lines 22 and 23 following the word: "prepared" by omitting the words: "the municipal audit division" and inserting in lieu thereof the words: "the department of intergovernmental relations", and

Be further amended on page 2, Section 1, Subsection (2), line 25 following the word: "exceed" by omitting the word: "three" and inserting in lieu thereof the word: "six", and

Be further amended on page 2, Section 1, Subsection (2), line 25 by omitting the material: "three thousand dollars (\$3,000)" and inserting in lieu thereof the material: "six thousand dollars (\$6,000)", and

As amended, do pass.

BRAND, Chairman

Report adopted.

February 13, 1974

Mr. Speaker: We, your committee on State Administration having had under consideration House Bill No. 790, respectfully report as follows: That House Bill No. 790 be amended on page 1, after the material on line 13 by omitting all the material through and including line 6 on page 5 and inserting in lieu thereof the following new material:

"Section 1. Section 43-218, R.C.M. 1947, is amended to read as follows:

'43-218. Pre-session caucus — house appropriation and senate finance and claims committee member — per diem and expenses. As soon after the official canvass as possible, but not later than December 1 of each year following an election when members of the legislative assembly are elected, the majority and minority parties of each house of the legislative assembly shall hold a pre-session caucus for holdover senators, senators-elect, and representatives-elect. The purpose of the caucus of each party of each house is to elect officers, appoint committees and hire any necessary employees. Members of the house appropriations committee and the senate finance and claims committee named at the caucus shall begin reviewing requests for appropriations immediately and may visit state agencies and institutions to discuss requests. Members of these committees, [except senators elected at the general election held in 1968,] shall receive [twenty dollars (\$20)] twenty-five dollars (\$25) per day salary and thirty-six dollars (\$36) per day expenses for each day engaged in committee business[, and all members of these committees shall be reimbursed for actual and necessary expenses incurred in their duties]. [Per diem] Salary and expenses shall be paid by the [state controller] department of administration from the appropriation for operation of the preceding legislative assembly.'

Section 2. Section 43-310, R.C.M. 1947, is amended to read as follows:

'43-310. [Per diem, mileage and expenses of members.] Compensations and mileage for members for regular and special sessions and the interim. (1) Legislators [are entitled to] shall receive compensation of [twenty dollars (\$20)] twenty-five dollars (\$25) per legislative day salary, payable weekly, during a session of the legislature, and twelve cents (12¢) per mile of travel to and from their residences and the place of holding the session, by the shortest regularly traveled automobile route. Legislators are entitled to one round trip home for each regular and special session, provided, however, that legislators will not be entitled to more than one round trip home if a special session is held within seven (7) days of a regular session.

(2) Members [are also entitled to thirty-three dollars (\$33)] shall receive thirty-six dollars (\$36) per day expenses, seven (7) days a week, payable weekly, during a legislative session, as reimbursement for expenses incurred in attending the session. Expense payments shall stop when the legislature recesses for more than three (3) days and shall resume when the legislature reconvenes.

(3) Legislators shall receive twenty-five dollars (\$25) per legislative day salary and thirty-six dollars (\$36) per day expenses, payable weekly, for work in a special session.

[(3)] (4) While going to, attending, and returning from legislative standing committee meetings and necessary committee business authorized by the chairman of the legislative council during the legislative interim, legislators are entitled to

(a) a mileage allowance of twelve cents (12¢) per mile for each mile of travel,

(b) [actual expenses, and] thirty-six dollars (\$36) per day expenses, and

(c) [compensation of twenty dollars (\$20) per day.] twenty-five dollars (\$25) per day salary.

[(4)] (5) Legislators are also entitled to a mileage allowance of twelve cents (12¢) per mile for travel to and from their respective pre-session caucus meeting.'

Section 3. Section 43-311, R.C.M. 1947, is amended to read as follows:

'43-311. [Per diem and mileage of president of senate and speaker of house.] Additional compensation for certain legislative leaders. [The president of the senate, and the speaker of the house, shall receive the sum of twenty-five dollars (\$25.00) per day during the session of the legislative assembly, and the same mileage as members.] The president of the senate, the senate majority leader, the senate minority leader, the speaker of the house, the house majority leader, and the house minority leader, shall receive, in addition to the compensation and travel accorded other members, fifty dollars (\$50) per month, payable monthly, for each month the legislature is not in session.'

Section 4. Expenses. Legislators shall receive one hundred dollars (\$100) per month, payable monthly, for each month the legislature is not in session to cover expenses such as telephone costs, travel expenses not covered herein, cost of postage and other miscellaneous expenses.

Section 5. This act is effective January 1, 1975.", and

As amended, do pass.

(Material in brackets denotes cancelled type.)

GREELY, Vice-Chairman

Report adopted.

February 12, 1974

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 1066, respectfully report as follows: That House Bill No. 1066 be amended on page 3, Section 2, following line 1 by inserting a new Subsection (2) as follows: "(2) An assessment made by the department under this section shall be based on the residents or responsible persons ability to pay. The department shall not make an assessment which would place an undue financial burden on the resident or the responsible person.", and

Be further amended on page 3 to renumber the subsequent subsections to conform numerically, and

As amended, do pass.

BRAND, Chairman

Report adopted.

February 12, 1974

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Joint Resolution No. 80, respectfully report as follows: That House Joint Resolution No. 80 be amended on page 1, line 22 after the word: "with" by omitting the word: "four" and inserting in lieu thereof the word: "five", and

Be further amended on page 1, line 22 after the word: "persons" by inserting the word: "as", and

Be further amended on page 1, lines 22 and 23 by omitting the words: "by the governor of Montana" and inserting in lieu thereof the word: "below", and

Be further amended in page 2, lines 5 through 12 beginning with the word: "that" on line 5 and ending with the word: "and" on line 12 by omitting the material contained therein in its entirety and inserting in lieu thereof the following material:

"That the five committee members shall be appointed in the following manner and in the following chronological order:

(a) the majority floor leader of the senate shall appoint one (1) senator from his political party. The minority leader of the senate shall then appoint one (1) senator from his political party not from the same United States congressional district as the member appointed by the presiding officer;

(b) the presiding speaker of the house of representatives shall appoint one (1)

house member from his political party. Then, the minority leader in the house of representatives shall appoint one (1) house member from his political party not from the same United States congressional district as the member appointed by the speaker;

(c) the governor shall appoint one (1) member from the public-at-large, who shall not be an employee of or employed by, with or without compensation, a body directly concerned with education.

Each to be reimbursed for his actual and necessary expenses incurred while attending meetings and they shall receive no other compensation. The legislative priority committee shall set the number of meetings.", and

Be further amended on page 2, after the material on line 16 by omitting the material contained in lines 17 through 21 in its entirety, and

As amended, do pass.

GREELY, Vice-Chairman

Report adopted.

February 13, 1974

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 1026, respectfully report as follows: That House Bill No. 1026 do pass.

MEHRENS, Chairman

Report adopted.

February 13, 1974

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 1056, respectfully report as follows: That House Bill No. 1056 be amended in the title on page 1, line 7 after the material: "1947," by omitting the word: "requiring" and inserting in lieu thereof the word: "directing", and

Be further amended in the title on page 1, line 8 after the word: "made" by omitting the word: "only" and inserting in lieu thereof the words: "where economically desirable", and

Be further amended on page 5, line 14 by omitting all of Subsection (4 and inserting in lieu thereof the following material: "(4) The state board of investments shall endeavor to direct the state's investment business to those investment firms, and/or banks, which maintain offices in the state and thereby make contributions to the state economy. The state's investment business will be directed to out-of-state firms only when there is a distinct economic advantage to the state of Montana.", and

As amended, do pass.

MEHRENS, Chairman

Report adopted.

February 13, 1974

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 1071, respectfully report as follows: That House Bill No. 1071 do not pass.

MEHRENS, Chairman

MESSAGES FROM THE OTHER HOUSE

February 13, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read three times and concurred in as amended, title and history agreed to and the said bills are herewith returned to the House for concurrence in Senate amendments:

House Bill No. 507 introduced by Lynch, Clemow, et al

House Bill No. 703 introduced by Lee

House Bill No. 705 introduced by Ulmer

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

February 13, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was this day on Committee report, recommended bill be indefinitely postponed, report adopted, and the bill is herewith returned to the House:

House Bill No. 385 introduced by Marbut, Lucas et al

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

February 13, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill and Resolutions were this day read three times and concurred in, title and history agreed to and the said bill and resolutions are herewith returned to the House:

House Bill No. 951 introduced by Roberts, Johnston and Stephens

House Joint Resolution No. 42 introduced by Campbell

House Joint Resolution No. 44 introduced by Rolfe, Kolstad, et al

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

MOTIONS

Kimble moved that House Joint Resolution No. 74 be returned to the Committee on Constitution, Elections and Federal Relations.

Motion failed.

Tierney moved that House Bill No. 962 be held on Second Reading and action on it be postponed until the Thirty-sixth Legislative Day.

Motion carried.

Fasbender moved that the Speaker appoint a Free Conference Committee to meet with a like committee from the Senate on House Bill No. 822.

Motion carried.

Fasbender moved that the House adjourn until 1:30 p.m., February 14, 1974.

Motion carried.

House adjourned.

HAROLD E. GERKE, Speaker

EDWIN A. SMITH, Chief Clerk

THIRTY-FOURTH LEGISLATIVE DAY

Helena, Montana
February 14, 1974

House Chambers
Capitol Building

House convened at 1:30 p.m., Mr. Speaker in the Chair.

Invocation by the Chaplain.

Pledge of Allegiance to the Flag.

Roll call. All members present except Haines, Hall, Jones, Kimble and Zimmer, all excused.

Quorum present.

Mr. Speaker: We, your Committee on Bills and Journal, having examined the daily journal for the Thirty-third Legislative Day, find the same to be correct.

QUILICI, Chairman

REPORTS OF STANDING COMMITTEES

Objection raised by R. Harper and Murphy on adverse committee report on House Bill No. 1071. Referred to Second Reading.

February 14, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills and resolution correctly printed: House Bill No. 474, House Bill No. 550, House Bill No. 698, House Bill No. 895, House Bill No. 910, House Bill No. 940, House Bill No. 949, House Bill No. 991, House Bill No. 1003, House Bill No. 1026, House Joint Resolution No. 69.

QUILICI, Chairman

February 13, 1974

reported February 14, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following resolution correctly printed: House Joint Resolution No. 54.

QUILICI, Chairman

February 14, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills considered correctly engrossed: House Bill No. 916, House Bill No. 918, House Bill No. 920, House Bill No. 933, House Bill No. 1008, House Bill No. 1010, House Bill No. 1034, House Bill No. 1069, House Bill No. 1073, House Bill No. 1085.

QUILICI, Chairman

February 14, 1974

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bill No. 300, do hereby report that said bill together with a copy thereof, signed by the Speaker of the House and President of the Senate, was this day, at the hour of 9:00 o'clock, a.m. delivered to the Governor for his approval.

QUILICI, Chairman

February 13, 1974

The following bills were signed in the office of the Speaker of the House of Representatives on February 13, 1974: Senate Bill No. 621, House Bill No. 762.

EDWIN A. SMITH, Chief Clerk

House of Representatives

February 14, 1974

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 615, respectfully report as follows: That House Bill No. 615 do pass.

GUNDERSON, Chairman

Report adopted.

February 14, 1974

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 749, respectfully report as follows: That House Bill No. 749 be amended on page 1, after the material on line 8 by omitting all the material through and including line 13 on page 23, and inserting in lieu thereof the following new material:

"Section 1. It is the policy of this state to encourage and enable its citizens to obtain and receive an education commensurate with their abilities and desires. It is recognized that proprietary institutions offering postsecondary educational, vocational and professional instruction perform a useful and necessary service to the citizens of the state in achieving this objective. It is found that certain institutions have either by unscrupulous, unfair and deceptive practices or through substandard instruction deprived the citizens of this state of educational opportunity and subjected them to financial loss. The actions of such institutions also reflect unfavorably upon the reputable proprietary postsecondary institutions which are in the great majority. Thus it is the purpose of this act to provide for the protection, education and welfare of the citizens of this state.

Section 2. Definitions. As used in this act, unless the context clearly indicates otherwise:

(1) 'Education or educational services' means a class, course or program of training, instruction or study.

(2) 'Postsecondary education' means the education or educational services offered to persons who have completed or terminated their secondary education or who are beyond the age of compulsory school attendance for the attainment of academic, professional or vocational objectives.

(3) 'Educational credential' means a degree, diploma, certificate, transcript, report, document, letters of designation, marks, appellations, series of letters, numbers or words which signify, purport or are generally taken to mean enrollment, attendance, progress or satisfactory completion of the requirements or prerequisites for education through a postsecondary educational institution.

(4) 'Institution' means an academic, vocational, technical, home study, business, professional or other school, college or university, or any person, association or corporation offering educational credentials or educational services but does not include any institution established and maintained under the laws of this state, another state or the government of the United States at the public expense.

(5) 'Agent' means any person owning any interest in, employed by or representing a postsecondary educational institution in this or another state who, by solicitation in any form made in this state, seeks to enroll or enrolls a resident of this state in such postsecondary institution, or who offers to award educational credentials on behalf of such institution for remuneration, or who holds himself out to the residents of this state as representing a postsecondary institution for any such purpose.

(6) 'Superintendent' means the superintendent of public instruction.

(7) 'License' means written approval issued by the superintendent to operate or to contract to operate a postsecondary institution in this state.

(8) 'Permit' means written approval issued by the superintendent to any person to act as an agent for a postsecondary educational institution.

(9) 'Grant' means sell, award, confer, bestow or give.

(10) 'Offer' means, in addition to its usual meaning, to advertise, publicize, solicit or encourage any person, directly or indirectly, in any form, to perform the act described.

(11) 'Operate' means to establish and maintain any facility in this state for the purpose described and includes a contract with any person, association or corporation to establish and maintain such facility.

(12) 'Application' means either an application for the initial issuance of a license or permit or for the renewal of a license or permit.

Section 3. The following are exempt from the provisions of this act:

(1) institutions accredited by a national or regional accrediting agency recognized by either the board of public education or the board of regents of higher education and notification of such recognition having been given to the superintendent by either board;

(2) education sponsored by a trade, business, professional or fraternal organization solely for the membership of the organization or offered without the payment of fees;

(3) avocational or recreational education and institutions offering such education exclusively;

(4) education offered by charitable or religious institutions, organizations or agencies unless such education is offered as leading toward educational credentials;

(5) institutions possessing a valid certificate issued by the federal aviation agency;

(6) schools of cosmetology possessing a valid certificate of registration issued under the provisions of Chapter 8 of Title 66.

Section 4. Administration. The superintendent shall administer this act. To effect the purposes of this act, the superintendent may request from any agency of the state, and every agency shall provide, such information as will enable the superintendent to exercise properly his powers and perform his duties. Nothing herein shall be construed to interfere with the purpose and function of any agency of the state.

Section 5. Powers and duties of the superintendent. To administer this act, the superintendent shall have the following powers and duties:

(1) to establish minimum criteria in consultation with the commissioner of higher education conforming to the minimum standards in section 6 of this act which applicants for a license or permit shall satisfy before a license or permit shall be issued, provided the board of public education and board of regents of higher education have first approved such criteria;

(2) to receive, to investigate as he may deem necessary, and to act upon applications for a license or permit;

(3) to maintain a list of licensed institutions, of persons possessing permits and of accrediting agencies recognized under subsection 1 of section 3 of this act, provided that an institution and its agent exempt from this act may be included in such list upon the filing of an affidavit of exemption;

(4) to negotiate and enter into reciprocal interstate agreements with like agencies in other states if such agreements are or will affect the purposes of this act; provided, that nothing contained in such agreement shall be construed as limiting the powers and duties of the superintendent with respect to investigating or acting upon any application for a license, or for a permit or with respect to the enforcement of any provision of this act or regulations adopted hereunder;

(5) to receive and cause to be maintained for a reasonable length of time not less than ten (10) years, copies of academic records pursuant to section 17 of this act;

(6) to establish rules, regulations and procedures necessary for the implementation of this act which, after approval by the board of public education and the board of regents of higher education, shall have the force of law; and to hold hearings as he may deem advisable in developing such rules, regulations and procedures or to aid in any investigation or inquiry; and

(7) to investigate as he may deem necessary, on his own motion or on the filing of a verified complaint filed with him, any institution or person subject to or reasonably believed by the superintendent to be subject to the provisions of this act; to subpoena any persons or documents pertaining to such investigation, which subpoenas shall be enforceable in a district court of this state; to require answers in writing under oath to questions or interrogatories propounded by the superintendent; and to administer an oath or affirmation to any person in connection with any investigation.

Section 6. Minimum standards.

(1) In establishing the criteria required by section 5 of this act, the superintendent shall observe and shall require compliance with the following minimum standards:

(a) postsecondary educational institution must be maintained and operated, or, in the case of a new institution, it must demonstrate that it can be maintained and operated, in compliance with the following minimum standards:

(i) that the quality and content of each course or program of instruction, training, or study are such as may reasonably and adequately achieve the stated objective for which the course or program is offered;

(ii) that the institution has adequate space, equipment, instructional materials and personnel to provide education of good quality;

(iii) that the education and experience qualifications of directors, administrators, supervisors, and instructors are such as may reasonably insure that the students will receive education consistent with the objectives of the course or program of study;

(iv) that the institution provides students and other interested persons with a catalog or brochure containing information describing the programs offered, program objectives, length of program, schedule of tuition, fees and all other charges and expenses necessary for completion of the course of study, cancellation and refund policies, and such other material facts concerning the institution and program or course of instruction as are reasonably likely to affect the decision of the student to enroll therein, together with any other disclosures required by the superintendent; and that such information is provided to prospective students prior to enrollment;

(v) that upon satisfactory completion of training, the student is given appropriate educational credentials by the institution, indicating that the course or courses of instruction or study have been satisfactorily completed;

(vi) that adequate records are maintained by the institution to show attendance, programs, or grades, and that satisfactory standards are enforced relating to attendance, progress, and performance;

(vii) that the institution is maintained and operated in compliance with all pertinent ordinances and laws relating to the safety and health of all persons upon the premises;

(viii) that the institution is financially sound and capable of fulfilling its commitments to students;

(ix) that neither the institution nor its agents engage in advertising, sales, collection, credit, or other practices of any kind which are false, deceptive, misleading, or unfair;

(x) that the chief executive officer, trustees, directors, owners, administrators, supervisors, staff, and instructors are of good reputation and character; and

(xi) that the institution has a fair and equitable cancellation and refund policy.

(b) an applicant for a permit to act as agent shall be an individual of good reputation and character and shall represent only a postsecondary educational institution which meets the minimum standards established in this section and the criteria established under section 5 of this act.

(2) Accreditation by national or regional accrediting agencies recognized by the United States Office of Education may be accepted by the superintendent as evidence of compliance with the minimum standards established hereunder and the criteria established under section 5 of this act; provided, the superintendent, after conferring with the commissioner of higher education, may require such further evidence and make such further investigation as in his judgment may be necessary. Accreditation by a recognized, specialized accrediting agency may be accepted as evidence of such compliance only as to the portion or program of an institution accredited by such agency if the institution as a whole is not accredited.

Section 7. Prohibition. No person, group, association or corporation, alone or in concert with others, shall:

(1) operate in this state a postsecondary educational institution unless the institution is exempt from the provisions of this act or is licensed by the superintendent;

(2) offer instruction in, enrollment in or grant of educational credentials as or through an agent by a postsecondary educational institution not exempted from this act whether within or without the state unless the agent possesses a currently valid permit as required by this act;

(3) accept or receive contracts or applications for enrollment from an agent unless the agent possesses a currently valid permit as required by this act;

(4) offer education or educational services or, educate or provide educational services, offer to enroll or enroll, contract or offer to contract with any person for such purpose, or offer to grant, grant or contract with any person for that purpose in this state unless the person, group, association or corporation complies with the minimum standards in section 6 of this act, the criteria established by the superintendent and the rules and regulations adopted by the superintendent;

(5) use the term 'university' or 'college' without authorization to do so from the superintendent with the concurrence of the commissioner of higher education; provided that any institution subject to this act located within this state which used either term on January 1, 1974, may continue to do so by filing an affidavit to that effect with the superintendent prior to January 1, 1975; and

(6) act as an agent for a postsecondary educational institution unless currently possessing a valid permit from the superintendent.

Section 8. License. (1) Each postsecondary educational institution not exempted from this act intending to operate or presently operating in this state shall apply to the superintendent for a license to operate. Application shall be made on forms prescribed by the superintendent. Each application shall be accompanied by the most recent catalog or brochure published or intended to be published by the institution. The application also shall be accompanied by evidence of payment of the fees required by this act.

(2) After review of the application and any further information required by the superintendent, any investigation of the application which the superintendent may deem necessary or appropriate and evidence of a surety bond as required by this act, the superintendent shall either issue or not issue a license to operate a postsecondary educational institution. The license shall be nontransferable and may be upon such terms and conditions as the superintendent may require.

(3) The license shall be in a form prescribed by the superintendent and shall state in a clear and conspicuous manner at least the following information:

- (a) date of issuance, effective date and date of expiration;
- (b) the name and address of the institution licensed;
- (c) the authority for and conditions of approval; and
- (d) any terms or conditions required by the superintendent.

(4) No license shall be valid for more than two (2) years and may be valid for a lesser period of time.

Section 9. Permit. (1) Each person intending to act in this state as an agent for a postsecondary institution not exempt from the provisions of this act shall make application to the superintendent. Application shall be made on forms prescribed by the superintendent. Each application shall be accompanied by evidence of payment of the fees required by this act and the sworn affidavits of three (3) residents of this state as to the good character and reputation of the applicant, and shall show the name and address of the institution which the applicant intends to represent.

(2) In the event the applicant intends to represent an institution not licensed to operate in this state, the application shall be accompanied by the information required of institutions applying for such a license.

(3) After review of the application and any further information required by the superintendent, any investigation deemed necessary or appropriate and evidence of a surety bond required by this act, the superintendent shall issue or not issue the permit to the applicant. The permit shall be nontransferable and may be upon such terms and conditions as the superintendent may require.

(4) The permit shall be in the form prescribed by the superintendent and shall state in a clear and conspicuous manner at least the following information:

- (a) the date of issuance, effective date and date of expiration;
- (b) the name and address of the agent;
- (c) the name and address of the institution or institutions the agent may represent;
- (d) the authority for and conditions of approval; and
- (e) any terms or conditions required by the superintendent.

(5) No permit shall be valid for more than two (2) years and may be valid for a lesser period of time.

Section 10. Denial of application for license or permit. (1) If the superintendent determines that an application is deficient under the criteria established for the issuance of a license or permit, the superintendent shall notify the applicant in writing of that determination and the deficiencies.

(2) If the applicant requests, and the request demonstrates to the superintendent the applicant's intention and ability to remedy the deficiencies causing the denial of the license or permit, the superintendent may grant the applicant a reasonable period of time to take such action.

(3) If a request under subsection 2 above is not made or a request is made and is denied or the period of time granted expires without remedy of the deficiencies, the application shall be denied. The superintendent shall notify the applicant of the denial, the reasons therefor and the opportunity of the applicant for a hearing before the superintendent provided in section 12.

(4) In the event an application for a permit is denied, the superintendent shall notify in writing the institution or institutions to be represented or represented by the applicant.

Section 11. Revocation of license or permit. If the superintendent has reasonable cause to believe that a holder of a license or permit issued under any provision of this act has violated or is in violation of this act or criteria established under this act, the superintendent may revoke the license or permit as provided hereafter.

(1) The superintendent shall notify the holder in writing of the intention to revoke, the grounds for the intended action and a date upon which such revocation shall become effective.

(2) If, prior to the effective date of the revocation, the holder submits evidence showing the holder has taken action to remedy the violation or violations which

has or have occurred or is occurring and such evidence is satisfactory to the superintendent, the superintendent may vacate the effective date of the revocation.

(3) If there is no submission under subsection 2 above, the license or permit shall be revoked on the effective date, unless the holder requests a hearing before the superintendent under the provisions of section 12 of this act.

(4) In the event a permit is revoked, the superintendent shall notify the institution or institutions represented by the holder of the revocation.

Section 12. Hearing. Any person denied a license or permit or who has received notice of intention to revoke a license or permit shall have the right to a hearing before the superintendent as provided herein.

(1) If, upon receipt of notification of denial or intention to revoke, the holder or applicant desires a hearing, he shall notify the superintendent in writing of such desire within ten (10) days after the giving of notice of such action or intention.

(2) Upon receipt of such notification, the superintendent shall fix a time and place for hearing and shall inform in writing the applicant or holder of such time and place.

(3) The superintendent may appoint a hearing officer who shall conduct the hearing, hear testimony and receive evidence. After the hearing, the hearing officer shall prepare proposed findings of fact, conclusions of law and an order which shall be served on the parties to the hearings and presented to the superintendent. A party adversely affected by the order may file exceptions, present briefs and argument to the superintendent.

(4) At such hearing, the party may employ counsel, shall have the right to hear the evidence upon which the action is based and present evidence in extenuation or opposition.

(5) A decision of the superintendent after hearing, or on the expiration of time for request for a hearing if none is made, shall be final subject to judicial review as provided in section 13 of this act.

Section 13. Judicial Review. Any person aggrieved or adversely affected by a final decision of the superintendent may seek judicial review of such decision by filing a petition for a writ of certiorari in the district court of the First Judicial District, in and for the county of Lewis and Clark, not later than thirty (30) days after the date of such decision.

Section 14. Civil Relief. Any person or persons claiming loss or damage as a result of any act or practice by a postsecondary institution or its agent or both, which act or practice violates the criteria established by the superintendent under section 5 of this act or the prohibitions in section 7 of this act may sue in a court of proper jurisdiction of this state the institution or the agent or both and their sureties for the amount of such damage or loss and, if successful, shall be awarded, in addition to damages, court costs and reasonable attorney's fees.

Section 15. Bonds Required. (1) At the time application is made for license the superintendent may require the postsecondary educational institution making such application to file with the superintendent a good and sufficient surety bond in such sum as may be determined by the superintendent. Said bond shall be executed by the applicant as principal and by a surety company qualified and authorized to do business in this state. The bond shall be conditioned to provide indemnification to any student or enrollee or his parent or guardian, or class thereof, determined to have suffered loss or damage as a result of any act or practice which is a violation of this act by said postsecondary educational institution, and that the bonding company shall pay any final, nonappealable judgment rendered by any court of this state having jurisdiction, upon receipt of written notification thereof. Regardless of the number of years that such bond is in force, the aggregate liability of the surety thereon shall in no event exceed the penal sum of the bond. The bond shall be for two (2) years or coterminous with the license.

(2) An application for a permit shall be accompanied by a good and sufficient surety bond in a penal sum of one thousand dollars (\$1,000). Said bond shall be executed by the applicant as principal and by a surety company qualified and

authorized to do business in this state. The bond may be in blanket form to cover more than one agent for a postsecondary educational institution, but it shall cover each agent for said institution in a penal sum of one thousand dollars (\$1,000). The bond shall be conditioned to provide indemnification to any student, enrollee, or his or her parents or guardian, or class thereof, determined to have suffered loss or damage as a result of any act or practice which is a violation of this act by said agent, and that the bonding company shall pay any final, nonappealable judgment rendered by any court of this state having jurisdiction, upon receipt of written notification thereof. Regardless of the number of years that such bond is in force, the aggregate liability of the surety thereon shall in no event exceed the penal sum thereof. The bond shall be for two years or coterminous with the permit.

(3) The surety bond to be filed hereunder shall cover the period of the license or the permit except when a surety shall be released as provided herein. A surety on any bond filed under the provisions of this section may be released after such surety shall serve written notice to the superintendent forty (40) days prior to said release; but said release shall not discharge or otherwise affect any claim theretofore or thereafter filed by a student or enrollee or his parent or guardian for loss or damage resulting from any act or practice which is a violation of this act alleged to have occurred while the bond was in effect, nor for an institution's ceasing operations during the term for which tuition has been paid while the bond was in force.

(4) A license for an institution to operate or a permit to an agent shall be suspended by operation of law when said institution or agent is no longer covered by a surety bond as required by this section; but the superintendent shall cause the institution or an agent, or both, to receive at least thirty (30) days written notice prior to the release of the surety to the effect that the license or permit shall be suspended by operation of law until another surety bond shall be filed in the same manner and like amount as the bond being terminated.

Section 16. Fees. All fees collected pursuant to the provisions of this act shall be deposited in the general fund, and no fees collected under the provisions of this act shall be subject to refund. The fees to be collected by the superintendent shall accompany an application for authorization to operate or for an agent's permit, in accordance with the following schedule:

- (1) the initial application fee for a license shall be fifty dollars (\$50);
- (2) the renewal fee for a license shall be twenty-five dollars (\$25);
- (3) the initial fee for permit shall be twenty-five dollars (\$25); and
- (4) the renewal fee for permit shall be ten dollars (\$10).

Section 17. Preservation of records. In the event any postsecondary educational institution now or hereafter located in this state proposes to discontinue its operation, the chief administrative officer, by whatever title designated, of such institution shall cause to be filed with the superintendent the original or legible true copies of all such academic records of such institution as may be specified by the superintendent. Such records shall include, at a minimum, such academic information as is customarily required by colleges when considering students for transfer or advanced study; and, as a separate document, the academic record of each former student. In the event it appears to the superintendent that any such records of an institution discontinuing its operations are in danger of being destroyed, secreted, mislaid, or otherwise made unavailable, the superintendent may seize and take possession of such records on his own motion, and without order of court. The superintendent shall maintain or cause to be maintained a permanent file of such records coming into his possession.

Section 18. Enforceability of notes and contracts. (1) If the person to whom educational services are to be rendered or furnished by a postsecondary educational institution is a resident of this state at the time any contract relating to payment for such services or any note, instrument, or other evidence of indebtedness relating thereto is entered into, the provisions of this section shall govern the rights of the parties to such contract or evidence of indebtedness. In such event, the following agreements entered into in connection with the contract or the giving of such evidence of indebtedness are invalid:

- (a) that the law of another state shall apply;
- (b) that the maker or any person liable on such contract or evidence of indebtedness consents to the jurisdiction of another state;
- (c) that another person is authorized to confess judgment on such contract or evidence of indebtedness; and
- (d) that fixes venue.

(2) No note, instrument or other evidence of indebtedness, or contract relating to payment for education or educational services shall be enforceable in the courts of this state by any postsecondary educational institution located in Montana unless the institution shall have received a license; nor by any postsecondary educational institution having an agent or agents in Montana unless any and all agents who enrolled or sought to enroll the person to whom such services were to be rendered, or to whom educational credentials were to be granted, had a permit at the time of their contact with such person.

(3) For the purposes of this section, 'lending agency' means any postsecondary educational institution or any person, association, partnership or corporation controlling, controlled by or held in common ownership with such institution, loaning money to such institution or students thereof.

(4) Any lending agency extending credit or loaning money to any person for tuition, fees, or any charges whatever of a postsecondary educational institution for educational or other services or facilities to be rendered or furnished by said institution, shall cause any note, instrument, or other evidence of indebtedness taken in connection with such loan or extension of credit to be conspicuously marked on the face thereof, 'student loan.' In the event such lending agency fails to do so, it shall be liable for any loss or damage suffered or incurred by any subsequent assignee, transferee, or holder of such evidence of indebtedness on account of the absence of such notation.

(5) Notwithstanding the presence or absence of such notation, and notwithstanding any agreement to the contrary, the lending agency making such loan or extending such credit, and any transferee, assignee, or holder of such evidence of indebtedness shall be subject to all defenses and claims which could be asserted against the postsecondary educational institution which was to render or furnish such services or facilities, by any party to said evidence of indebtedness or by the person to whom such services or facilities were to be rendered or furnished, up to the amount remaining to be paid thereon.

Section 19. Violations — criminal — penalty. Any person, group, or entity, or any owner, officer, agent, or employee thereof, who shall willfully violate the provisions of section 7, or who shall willfully fail or refuse to deposit with the superintendent the records required by section 17, shall be guilty of a misdemeanor and, upon conviction, shall be punished by a fine not to exceed one thousand dollars (\$1,000), or by imprisonment in the county jail not to exceed six (6) months, or by both such fine and imprisonment. Each day's failure to comply with the provisions of said sections shall be a separate violation. Such criminal sanctions may be imposed by a court of competent jurisdiction in an action brought by the county attorney.

Section 20. Jurisdiction of courts — service of process. Any postsecondary educational institution not exempt from the provisions of this chapter, whether or not a resident of or having a place of business in this state, which instructs or educates, or offers to instruct or educate, enrolls or offers to enroll, contracts or offers to contract, to provide instructional or educational services in this state, whether such instruction or services are provided in person or by correspondence, to a resident of this state, or which offers to award or awards any educational credentials to a resident of this state, submits such institution, and, if a natural person his personal representative, to the jurisdiction of the courts of this state, concerning any cause of action arising therefrom, and for the purpose of enforcement of this by injunction pursuant to section 21. Service of process upon any institution subject to the jurisdiction of the courts of this state may be made by personally serving the summons upon the defendant within or outside the state, in the manner prescribed by the rules of civil procedure, with the same force and effect

as if the summons had been personally served within Montana. Nothing contained in this section shall limit or affect the right to serve any process as prescribed by the rules of civil procedure.

Section 21. Enforcement — injunction. (1) The county attorney of any county in which a postsecondary educational institution or an agent thereof is found, at the request of the superintendent or on his own motion, may bring any appropriate action or proceeding (including injunctive proceedings, or criminal proceedings pursuant to section 19) in any court of competent jurisdiction for the enforcement of the provisions of this chapter.

(2) Whenever it shall appear to the superintendent that any person, agent, group, or entity is, is about to, or has been violating any of the provisions of this act or any of the lawful rules, regulations, or orders of the department, it may, on its own motion or on the written complaint of any person, file a petition for injunction in any court of competent jurisdiction against such person, group, or entity, for the purpose of enjoining such violation or for an order directing compliance with the provisions of this, and all rules and orders issued by the department.

Section 22. Severability. The provisions of this act are severable, and if any part or provision of it is held void, the holding of the court shall not affect or impair any other part or provision of this act.”, and

As amended, do pass.

GUNDERSON, Chairman

Report adopted.

February 14, 1974

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 1011, respectfully report as follows: That House Bill No. 1011 be amended in Section 2, page 1, line 17 after the word: “college,” by inserting the word: “Montana”, and

Be further amended in Section 4, page 1 starting with the word: “Number” on page 1, line 23 through and including the word: “each” on page 2, line 6 by omitting the material contained therein in its entirety, and inserting in lieu thereof the following new material: “All institutions referred to in section 2 may have at least one intern. The additional five (5) positions will be chosen from applications submitted to the legislative council.”, and

As amended, do pass.

GUNDERSON, Chairman

Report adopted.

February 14, 1974

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 964, respectfully report as follows: That House Bill No. 964 be amended in Section 1, page 1, line 10 after the word: “be” by omitting the following material: “high school ANB regardless of the type of school in which the seventh and eighth grade pupils are actually enrolled.”, and inserting in lieu thereof the following new material: “at the high school ANB rate provided that the school meets the standards for accreditation of a middle school.”, and

As amended, do pass.

GUNDERSON, Chairman

Report adopted.

February 14, 1974

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 1007, respectfully report as follows: That House Bill No. 1007 be amended in Section 2, page 1, line 15 after the words: “northern Montana college,” by inserting the word: “Montana”, and

Be further amended in Section 2, page 1, line 16 after the word: "technology" by inserting the following material: ", and western Montana college", and

Be further amended in Section 8, Subsection (1), page 2, lines 14 through 16 by omitting the subsection contained therein in its entirety, and

Be further amended in Section 8 on page 2 by renumbering subsequent subsections to conform numerically, and

Be further amended in Section 9, Subsection (1), page 3, line 10 after the word: "intern," by inserting the following new material: "office of the state auditor may be assigned one (1) intern," and

As amended, do pass.

GUNDERSON, Chairman

Report adopted.

February 14, 1974

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 1039, respectfully report as follows: That House Bill No. 1039 do pass.

GUNDERSON, Chairman

Report adopted.

MESSAGES FROM THE OTHER HOUSE

February 13, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day read three several times, and passed, title and history agreed to, and the bills are herewith transmitted to the House for concurrence:

Senate Bill No. 568 introduced by Darrow, Lynch, et al

Senate Bill No. 591 introduced by Flynn

Senate Bill No. 597 introduced by Cochrane and Mathers

Senate Bill No. 598 introduced by Cochrane and Mathers

Senate Bill No. 620 introduced by Lowe and Boylan

Senate Bill No. 642 introduced by Siderius, Drake, et al

Senate Bill No. 660 introduced by Gilfeather, Mathers, et al

Senate Bill No. 661 introduced by Gilfeather, Boylan, et al

Senate Bill No. 662 introduced by Gilfeather, Mathers, et al

Senate Bill No. 663 introduced by Gilfeather, Mathers, et al

Senate Bill No. 664 introduced by Gilfeather, Mathers, et al

Senate Bill No. 676 introduced by McOmber

Senate Bill No. 712 introduced by Carl and Northey (by request)

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

February 13, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Joint Resolution was this day read three several times, and passed by a 46 to 3 roll call vote, title and history agreed to, and the resolution is herewith transmitted to the House for concurrence:

Senate Joint Resolution No. 64 introduced by Manning, Moritz, et al

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

MOTIONS

Fasbender moved that House Joint Resolution No. 74 be taken from Second Reading and re-referred to the Committee on Constitution, Elections and Federal Relations.

Motion carried.

Hubing moved that House Bill No. 714 be placed on Second Reading.

Motion carried.

Glennen, having voted on the prevailing side on the previous legislative day on Third Reading, moved that the House reconsider its action and that House Bill No. 994 be placed on Second Reading.

Motion failed.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following bills and resolution were introduced, read first time and referred to committees:

Senate Joint Resolution No. 64, introduced by Manning, Moritz, Turnage, Moore, Graham, McGowan, Sorensen, Nees, Cochrane, Lowe, Broeder, Himsl, Breeden, Mathers: A Joint Resolution of the Senate and the House of Representatives of the State of Montana submitting to the qualified electors of the State of Montana an amendment to the Constitution of Montana repealing Article II, Section 18 of the Constitution, relating to waiver of sovereign immunity by the State of Montana. Referred to Committee on Constitution, Elections and Federal Relations.

Senate Bill No. 568, introduced by Darrow, Lynch, Turnage, McDonald, Graham, Flynn, Moore, Mathers, McKeon, Drake, Bennett, Harrison, Hazelbaker: A bill for an act entitled: "An act amending the Montana Administrative Procedure Act to remove the time limit on legislative review of rules; amending Section 82-4203.1, R.C.M. 1947." Referred to Committee on Rules.

Senate Bill No. 591, introduced by Flynn: A bill for an act entitled: "An act to amend Section 69-4103, R.C.M. 1947, relating to the qualifications of members of the Board of Health and Environmental Sciences." Referred to Committee on State Administration.

Senate Bill No. 597, introduced by Cochrane, Mathers: A bill for an act entitled: "An act declaring the right to refuse to participate in an abortion, providing penalties and remedies in case of the infringement of this right and providing an effective date." Referred to Committee on Judiciary.

Senate Bill No. 598, introduced by Cochran, Mathers: A bill for an act entitled: "An act declaring the right to refuse to participate in medical procedures resulting in sterilization; providing penalties and remedies in case of the infringement of this right; and providing an effective date." Referred to Committee on Public Health, Welfare and Safety.

Senate Bill No. 620, introduced by Lowe, Boylan: A bill for an act entitled: "An act amending the County Weed Control Program with respect to noxious weed designations and the composition and powers of a county weed board; and amending Sections 16-1701, 16-1709.1, 16-1713, and 16-1719, R.C.M. 1947." Referred to Committee on Agriculture, Livestock and Irrigation.

Senate Bill No. 642, introduced by Siderius, Drake, James, Bennett: A bill for an act entitled: "An act to amend Section 92-704.1, R.C.M. 1947, relating to benefit reductions under the Workmen's Compensation Act." Referred to Committee on Labor and Employment Relations.

Senate Bill No. 660, introduced by Gilfeather, Mathers, Breeden, Boylan: A bill for an act entitled: "An act changing the method by which a school district may calculate its average number belonging when pupils are enrolled in special education programs; and amending Sections 75-6902 and 75-6903, R.C.M. 1947." Referred to Committee on Education.

Senate Bill No. 661, introduced by Gilfeather, Boylan, Mathers, Breeden: A bill for an act entitled: "An act enumerating the allowable costs of special education programs which a school district may count for the purpose of assistance from the foundation program and requiring an annual accounting; and repealing Section 75-7813, R.C.M. 1947." Referred to Committee on Education.

Senate Bill No. 662, introduced by Gilfeather, Mathers, Breeden, Boylan: A bill for an act entitled: "An act establishing procedures for fixing special education programs budgets within school budgets and relating such special programs; and amending Sections 75-6905 and 75-6906, R.C.M. 1947." Referred to Committee on Education.

Senate Bill No. 663, introduced by Gilfeather, Mathers, Breeden, Boylan: A bill for an act entitled: "An act allowing a school to exceed the statutory limitation of the general fund budget by virtue of establishing a new special education program and amending Section 75-6923, R.C.M. 1947." Referred to Committee on Education.

Senate Bill No. 664, introduced by Gilfeather, Mathers, Breeden, Boylan: A bill for an act entitled: "An act relating to the School Foundation Program; providing for changes in financial schedules for the maximum general fund budgets for elementary and high schools; amending Section 75-6905, R.C.M. 1947; and providing an effective date." Referred to Committee on Education.

Senate Bill No. 676, introduced by McOmber: A bill for an act entitled: "An act to amend Section 53-147, R.C.M. 1947, to allow a ten (10) day grace period from the date of purchase to make application for registration of a motor vehicle; providing for the display of proof of purchase on demand; and providing penalties." Referred to Committee on Highways and Transportation.

Senate Bill No. 712, introduced by Carl, Northey (by request): A bill for an act entitled: "An act amending Section 75-8503.3, R.C.M. 1947, to provide for withholding of certain student documents until assessed traffic fines are paid." Referred to Committee on Judiciary.

House Bill No. 1115, introduced by Baucus, Kimble, Gunderson, Healy, Regan: A bill for an act entitled: "An act appropriating six hundred eight thousand dollars (\$608,000) from the general fund to the Board of Regents of Higher Education for the Work-Study Program administered by the board." Referred to Committee on Finance and Claims.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Fasbender moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading under the rules of the previous sitting.

Motion carried.

Bradley in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

February 14, 1974

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That House Bill No. 712 do not pass.

That House Bill No. 750 be amended in the title of the Second Reading bill on line 7 by deleting the words: "in or on" and inserting in lieu thereof the words: "while driving a" (62-5), and

Further amend Section 2, page 2, line 1 of the Second Reading bill by deleting the words: "in or on any" and inserting in lieu thereof the words: "while driving a" (66-5), and

As amended, do pass. (51-34)

That House Bill No. 823 do pass. (45-23)

That House Bill No. 891 do pass. (61-16)

That House Bill No. 981 be amended in Section 2, page 2, line 9 by deleting the word: "this" and inserting in lieu thereof the word: "the", and

Further amend Section 2, page 2, line 9 by adding after the word: "gasoline" the words: "for which a reduction of three cents (\$.03) per gallon is allowed" (50-0), and

As amended, do pass. (70-5)

That House Bill No. 1082 do pass. (73-0)

That House Joint Resolution No. 47 do pass. (68-0)

That House Joint Resolution No. 54 be amended in the Second Reading copy in the third Whereas clause, page 1, line 23 by deleting the following punctuation and word: ", and" and inserting in lieu thereof the punctuation: "." (54-0), and

As amended, do pass. (65-0)

That House Joint Resolution No. 79 do pass. (73-0)

That House Resolution No. 51 be adopted. (50-29)

That Senate Bill No. 331 be amended in Section 1, page 1, line 16 of the interim committee bill as amended by the House Judiciary Committee (pink copy) by deleting the following words and punctuation: "No-Fault" (51-17), and

As amended, be not concurred in. (65-17)

That the Committee rise and report.

BRADLEY, Chairman

Report adopted.

THIRD READING OF BILLS

Gerke and Rolfe excused at this time.

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 944 was passed by the following vote:

Ayes: Aageson, Baeth, Bardanouve, Baucus, Bennetts, Bradley, Brand, Brown, Colberg, Cotton, Cox, Driscoll, Edland, Fagg, Fasbender, Fleming, Forsgren, Glennen, Greely, Gunderson, Hageman, Hager, Halvorson, H. Harper, R. Harper, Hodges, Holmes, Huennekens, Jacobsen, Kimble, Kosena, Laas, Lee, Lynch, McKittrick, Manuel, Marbut, Mercer, Murphy, Norman, Prevost, Regan, Roberts, Schepens, Shelden, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Warfield, Watt, Yardley. Total 55.

Noes: Asbjornson, Barrett, Bell, Burnett, Campbell, Castles, Clemow, East, Ellerd, Flynn, Galt, Healy, Holtz, Hubing, Johnston, Jones, Kendall, Kessner, Kolstad, Kvaalen, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Mann, Marks, Mehrens, Menahan, Olson, Quilici, Rolfe, Schye, Seifert, Selstad, Smith, Turner, Ulmer, Walborn. Total 40.

Paired: Baucus, Fagg, Forsgren, Gunderson, Kimble, Mercer, Aye; Jones, Kvaalen, Lien, Lockrem, Rolfe, Ulmer, Nay.

Excused: Gerke, Haines, Hall, Zimmer. Total 4.

Absent or not voting: Ainsworth. Total 1.

House Bill No. 958 was passed by the following vote:

Ayes: Ageson, Baeth, Bardanouve, Barrett, Baucus, Bennetts, Bradley, Brand, Campbell, Castles, Colberg, Cotton, Cox, Driscoll, Edland, Ellerd, Fasbender, Fleming, Flynn, Glennen, Greely, Gunderson, Hageman, Hager, H. Harper, R. Harper, Healy, Hodges, Holmes, Huennekens, Kosen, Lee, Lombardi, Lucas, Lund, Lynch, McKittrick, Mann, Manuel, Marbut, Mehrens, Menahan, Murphy, Norman, Prevost, Quilici, Regan, Roberts, Schepens, Schye, Shelden, Staigmillar, Stoltz, Swanberg, Tierney, Towe, Turman, Ulmer, Warfield, Watt, Yardley. Total 61.

Noes: Asbjornson, Bell, Brown, Burnett, Clemow, East, Galt, Holtz, Hubing, Jacobsen, Johnston, Kendall, Kessner, Kolstad, Kvaalen, Laas, Lien, Lundgren, Marks, Olson, Seifert, Selstad, Smith, Stephens, Turner, Walborn. Total 26.

Excused: Gerke, Haines, Hall, Jones, Kimble, Rolfe, Zimmer. Total 7.

Absent or not voting: Ainsworth, Fagg, Forsgren, Halvorson, Lockrem, Mercer. Total 6.

House Bill No. 988 was passed by the following vote:

Ayes: Ageson, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fasbender, Fleming, Flynn, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Kendall, Kessner, Kolstad, Kosen, Kvaalen, Laas, Lien, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Yardley. Total 84.

Noes: Burnett. Total 1.

Excused: Gerke, Haines, Hall, Jones, Kimble, Rolfe, Zimmer. Total 7.

Absent or not voting: Ainsworth, Fagg, Forsgren, Lee, Lockrem, Mercer, Staigmillar, Watt. Total 8.

House Bill No. 990 was passed by the following vote:

Ayes: Ageson, Asbjornson, Baeth, Bardanouve, Baucus, Bennetts, Bradley, Brand, Brown, Campbell, Clemow, Colberg, Cotton, Driscoll, Fasbender, Fleming, Glennen, Greely, Gunderson, Hageman, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Huennekens, Johnston, Kolstad, Kosen, Kvaalen, Laas, Lee, Lombardi, Lucas, Lynch, McKittrick, Mann, Marbut, Mehrens, Menahan, Murphy, Norman, Prevost, Quilici, Regan, Roberts, Schepens, Shelden, Staigmillar, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Watt, Yardley. Total 61.

Noes: Barrett, Bell, Burnett, Cox, East, Edland, Ellerd, Galt, Hager, Hubing, Jacobsen, Kendall, Kessner, Lien, Lund, Lundgren, Manuel, Marks, Mercer, Olson, Seifert, Selstad, Smith, Walborn, Warfield. Total 25.

Paired: Kvaalen, Aye; Mercer, Nay.

Excused: Gerke, Haines, Hall, Jones, Kimble, Rolfe, Zimmer. Total 7.

Absent or not voting: Ainsworth, Castles, Fagg, Flynn, Forsgren, Lockrem, Schye. Total 7.

House Bill No. 1009 was passed by the following vote:

Ayes: Ageson, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts,

Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fleming, Flynn, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Kendall, Kessner, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lombardi, Lucas, Lund, Lundgren, Lynch, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley. Total 86.

Noes: Burnett, Mercer. Total 2.

Paired: Rolfe, Aye; Mercer, Nay.

Excused: Gerke, Haines, Hall, Jones, Kimble, Zimmer. Total 6.

Absent or not voting: Ainsworth, Fagg, Fasbender, Forsgren, Lockrem, McKittrick. Total 6.

House Bill No. 1045 was passed by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bennetts, Bradley, Brand, Brown, Colberg, Cotton, Cox, Driscoll, Fagg, Fasbender, Fleming, Flynn, Glennen, Greely, Gunderson, Hageman, Hager, Halvorson, R. Harper, Healy, Hodges, Holmes, Huennekens, Kolstad, Kosena, Kvaalen, Laas, Lee, Lombardi, Lucas, Lund, Lynch, McKittrick, Mann, Marbut, Marks, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Schepens, Schye, Seifert, Shelden, Staigmillier, Stephens, Stoltz, Swanberg, Towe, Turman, Watt, Yardley. Total 63.

Noes: Bell, Burnett, Campbell, Castles, Clemow, East, Edland, Ellerd, H. Harper, Holtz, Hubing, Jacobsen, Johnston, Kendall, Kessner, Lien, Lundgren, Manuel, Selstad, Smith, Tierney, Turner, Ulmer, Walborn, Warfield. Total 25.

Paired: Fagg, Aye; Johnston, Nay.

Excused: Gerke, Haines, Hall, Jones, Kimble, Rolfe, Zimmer. Total 7.

Absent or not voting: Ainsworth, Forsgren, Galt, Lockrem, Mercer. Total 5.

House Bill No. 1058 was passed by the following vote:

Ayes: Baeth, Bardanouve, Barrett, Baucus, Bennetts, Bradley, Brand, Brown, Campbell, Clemow, Colberg, Cotton, Cox, Driscoll, Edland, Ellerd, Fasbender, Fleming, Flynn, Glennen, Greely, Gunderson, Hageman, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Huennekens, Jacobsen, Kendall, Kessner, Kosena, Kvaalen, Laas, Lee, Lien, Lombardi, Lucas, Lund, Lynch, McKittrick, Manuel, Marbut, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Schepens, Shelden, Smith, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt. Total 69.

Noes: Aageson, Asbjornson, Bell, Burnett, Castles, Hager, Holtz, Hubing, Johnston, Kolstad, Lundgren, Mann, Seifert, Selstad. Total 14.

Excused: Gerke, Haines, Hall, Jones, Kimble, Rolfe, Zimmer. 7.

Absent or not voting: Ainsworth, East, Fagg, Forsgren, Galt, Lockrem, Marks, Mercer, Schye, Yardley. Total 10.

House Bill No. 1068 was passed by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fasbender, Flynn, Galt, Glennen, Greely, Gunderson, Hageman, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Kendall, Kessner, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Ulmer, Walborn, Warfield, Watt, Yardley. Total 84.

Noes: Hager. Total 1.

Excused: Gerke, Haines, Hall, Jones, Kimble, Rolfe, Zimmer. Total 7.

Absent or not voting: Ainsworth, Castles, Fagg, Fleming, Forsgren, Lockrem, Mercer, Turner. Total 8.

House Bill No. 1089 was passed by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fleming, Flynn, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Kendall, Kessner, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmillar, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley. Total 86.

Noes: None.

Excused: Gerke, Haines, Hall, Jones, Kimble, Rolfe, Zimmer. Total 7.

Absent or not voting: Ainsworth, Castles, Fagg, Fasbender, Forsgren, Lockrem, Mercer. Total 7.

House Bill No. 1090 was passed by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Bardanouve, Bennetts, Bradley, Brand, Brown, Burnett, Colberg, Cotton, Edland, Ellerd, Fasbender, Fleming, Greely, Gunderson, Hageman, Hager, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Huennekens, Jacobsen, Kessner, Kolstad, Kosena, Laas, Lee, Lien, Lombardi, Lund, Lundgren, Lynch, McKittrick, Mann, Marbut, Marks, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Schepens, Seifert, Selstad, Shelden, Smith, Staigmillar, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Ulmer, Walborn, Watt. Total 65.

Noes: Bell, Campbell, Castles, Clemow, Cox, Driscoll, East, Flynn, Galt, Glennen, Holtz, Hubing, Johnston, Kendall, Kvaalen, Lucas, Turner, Warfield, Yardley. Total 19.

Excused: Gerke, Haines, Hall, Jones, Kimble, Rolfe, Zimmer. Total 7.

Absent or not voting: Ainsworth, Barrett, Baucus, Fagg, Forsgren, Lockrem, Manuel, Mercer, Schye. Total 9.

House Joint Resolution No. 66 was passed by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, Edland, Fasbender, Fleming, Flynn, Glennen, Greely, Gunderson, Hageman, Hager, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Huennekens, Jacobsen, Johnston, Kendall, Kolstad, Kosena, Laas, Lee, Lien, Lombardi, Lucas, Lund, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Schepens, Seifert, Shelden, Smith, Staigmillar, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley. Total 77.

Noes: Burnett, East, Hubing, Kessner, Kvaalen, Selstad. Total 6.

Excused: Gerke, Haines, Hall, Jones, Kimble, Rolfe, Zimmer. Total 7.

Absent or not voting: Ainsworth, Brown, Ellerd, Fagg, Forsgren, Galt, Lockrem, Lundgren, Mercer, Schye. Total 10.

Senate Bill No. 582 was concurred in by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fasbender, Fleming, Flynn, Galt, Glennen, Greely,

Gunderson, Hageman, Hager, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Kendall, Kessner, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittick, Mann, Manuel, Marbut, Marks, Mehrens, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley. Total 87.

Noes: None.

Excused: Gerke, Haines, Hall, Jones, Kimble, Rolfe, Zimmer. Total 7.

Absent or not voting: Ainsworth, Fagg, Forsgren, Lockrem, Menahan, Mercer. Total 6.

Senate Joint Resolution No. 43 was concurred in by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fاسبender, Fleming, Flynn, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Kendall, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lombardi, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Schepens, Seifert, Smith, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Walborn, Warfield, Watt, Yardley. Total 79.

Noes: Burnett, Selstad, Turner, Ulmer. Total 4.

Excused: Gerke, Haines, Hall, Jones, Kimble, Rolfe, Zimmer. Total 7.

Absent or not voting: Ainsworth, Bennetts, Fagg, Forsgren, Kessner, Lockrem, Lucas, Mercer, Schye, Shelden. Total 10.

Senate Amendments to House Bill No. 177 were concurred in by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fاسبender, Fleming, Flynn, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Huennekens, Jacobsen, Johnston, Kendall, Kessner, Kosena, Kvaalen, Laas, Lee, Lien, Lombardi, Lucas, Lund, Lundgren, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Schepens, Schye, Seifert, Selstad, Smith, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley. Total 83.

Noes: Kolstad, Lynch. Total 2.

Excused: Gerke, Haines, Hall, Jones, Kimble, Rolfe, Zimmer. Total 7.

Absent or not voting: Ainsworth, Bennetts, Fagg, Forsgren, Hubing, Lockrem, Mercer, Shelden. Total 8.

Senate Amendments to House Bill No. 298 were concurred in by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fاسبender, Fleming, Flynn, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Huennekens, Jacobsen, Johnston, Kessner, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Schepens, Seifert, Selstad, Smith, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley. Total 84.

Noes: Kendall, Lockrem, Schye. Total 3.

Paired: Bardanouve, Aye; Lockrem, Nay.

Excused: Gerke, Haines, Hall, Jones, Kimble, Rolfe, Zimmer. Total 7.

Absent or not voting: Ainsworth, Fagg, Forsgren, Hubing, Mercer, Shelden. Total 6.

Senate Amendments to House Bill No. 763 were concurred in by the following vote:

Ayes: Aageson, Baeth, Bardanouve, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Castles, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fasbender, Fleming, Flynn, Galt, Greely, Gunderson, Hageman, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Huennekens, Jacobsen, Johnston, Kendall, Kessner, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lombardi, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Mehrens, Menahan, Murphy, Norman, Prevost, Quilici, Regan, Roberts, Schepens, Selstad, Staigmillier, Stephens, Stoltz, Swanberg, Towe, Turman, Turner, Warfield, Watt, Yardley. Total 70.

Noes: Asbjornson, Barrett, Campbell, Clemow, Glennen, Hager, Lucas, Mann, Marks, Olson, Schye, Seifert, Smith, Tierney, Ulmer, Walborn. Total 16.

Excused: Gerke, Haines, Hall, Jones, Kimble, Rolfe, Zimmer. Total 7.

Absent or not voting: Ainsworth, Fagg, Forsgren, Hubing, Lockrem, Mercer, Shelden. Total 7.

REPORTS OF STANDING COMMITTEES

February 14, 1974

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bill No. 762, do hereby report that said bill, together with a copy thereof, signed by the Speaker of the House and President of the Senate, was this day, at the hour of 4:15 o'clock, p.m., delivered to the Governor for his approval.

QUILICI, Chairman

February 14, 1974

I have examined House Bill No. 645 introduced by me and find the same to be correct.

BELL

February 14, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill correctly enrolled: House Bill No. 645.

QUILICI, Chairman

February 14, 1974

The following bills will be signed at adjournment on February 14, 1974, in the office of the Speaker of the House of Representatives: House Bill No. 645, Senate Bill No. 519.

EDWIN A. SMITH, Chief Clerk
House of Representatives

February 14, 1974

Mr. Speaker: We, your Committee on Taxation, having had under consideration House Bill No. 305, respectfully report as follows: That House Bill No. 305 be amended on page 1, title, line 6 after the word: "service" by inserting the words: "in the Vietnam area", and

Be further amended on page 1, title, line 7 after the word: "between" by striking the words and figures: "August 5, 1964, and a date to be announced by the United States government proclaiming the cessation of hostilities in Southeast Asia; and to appropriate from the general fund twelve million dollars (\$12,000,000) for the

payment of such honorarium and adjusted compensation and the administration of the law." and inserting in lieu thereof the words and figures: "January 20, 1961, and March 31, 1973.", and

Be further amended on page 1, Section 1, line 19 after the word: "between" by striking the words and figures: "August 5, 1965, and a date to be announced by the United States government proclaiming the cessation of hostilities in the Vietnam area.", and inserting in lieu thereof the words and figures: "January 20, 1961, and March 31, 1973.", and

Be further amended on page 2, Section 1, line 12 after the word: "person" by striking the words: "in military service", and

Be further amended on page 2, Section 1, line 13 after the word: "entry" by striking the word: "therein" and inserting in lieu thereof the words: "into the military service", and

Be further amended on page 2, Section 1, line 13 after the word: "his" by striking the word: "home" and inserting in lieu thereof the word: "residence", and

Be further amended on page 2, Section 1, line 14 after the word: "on" by striking the word and figures: "August 5, 1964" and inserting in lieu thereof the word and figures: "January 20, 1961", and

Be further amended on page 2, Section 1, line 21 after the word: "maintaining" by striking the words: "a home" and inserting in lieu thereof the word: "residence", and

Be further amended on page 3, Section 1, after Subsection 8, after line 1 by inserting the following new Subsection 9: "(9) 'Board' means the Board of Examiners.", and

Be further amended on page 3, Section 2, line 16 after the word: "area" by striking the punctuation and words: ", and twelve dollars and fifty cents (\$12.50) for each month and major fraction of a month of such service outside the Vietnam area", and

Be further amended on page 3, Section 2, line 21 after the word and punctuation: "War," by striking the words: "shall have", and

Be further amended on page 4, Section 2, line 1 after the word: "or" by striking the words: "shall have been" and inserting in lieu thereof the word: "was", and

Be further amended on page 4, Section 2, line 5 after the word: "who" by striking the words: "shall have been" and inserting in lieu thereof the word: "was", and

Be further amended on page 4, Section 2, line 6 after the word: "who" by striking the words: "shall have been" and inserting in lieu thereof the word: "was", and

Be further amended on page 4, Section 2, line 9 after the word: "or" by striking the words: "shall have been" and inserting in lieu thereof the word: "was", and

Be further amended on page 4, Section 2, line 12 after the word: "than" by striking the words and figures: "three hundred seventy-five dollars (\$375)" and inserting in lieu thereof the words and figures: "seven hundred fifty dollars (\$750)", and

Be further amended on page 4, Section 2, Subsection (3), beginning on line 16 by striking Subsection (3) in its entirety, and

Be further amended on page 4, Section 2, line 23 after the word: "service" by inserting the words: "in the Vietnam area", and

Be further amended on page 4, Section 2, line 25 after the word and punctuation: "service," by inserting the words: "in the Vietnam area", and

Be further amended on page 5, Section 2, line 2 after the word and punctuation: "section," by inserting the words: "or who is officially listed as missing in action", and

Be further amended on page 5, Section 2, line 3 after the word: "deceased" by inserting the words: "or missing", and

Be further amended on page 5, Section 2, line 5 after the word: "than" by striking the words and figures: "six hundred twenty-five dollars (\$625)" and inserting in lieu thereof the words and figures: "seven hundred fifty dollars (\$750)", and

Be further amended on page 5, Section 2, line 7 after the word: "of" by striking the words and figures: "six hundred twenty-five dollars (\$625)" and inserting in lieu thereof the words and figures: "seven hundred fifty dollars (\$750)", and

Be further amended on page 6, Section 3, line 13 after the word: "them" by striking the words: "shall be" and inserting in lieu thereof the word: "is", and

Be further amended on page 6, Section 3, line 14 after the word: "parents" by striking the word: "be" and inserting in lieu thereof the word: "are", and

Be further amended on page 6, Section 4, line 22 after the word and punctuation: "examiners." by striking the word: "Said" and inserting in lieu thereof the word: "The", and

Be further amended on page 6, Section 4, line 24 after the word: "by" by striking the word: "said" and inserting in lieu thereof the word: "the", and

Be further amended on page 7, Section 4, line 2 after the word: "by" by striking the word: "said" and inserting in lieu thereof the word: "the", and

Be further amended on page 7, Section 4, beginning on line 5 by striking the word: "such" and inserting in lieu thereof the word: "the", and

Be further amended on page 7, Section 6 after the word: "before" by striking the words: "a date to be set by the legislative assembly" and inserting in lieu thereof the word and figures: "July 1, 1976," and

Be further amended on page 7, Section 6, line 14 after the word and punctuation: "application," by striking the word: "such" and inserting in lieu thereof the word: "the", and

Be further amended on page 7, Section 6, line 17 after the word: "upon" by striking the word: "such" and inserting in lieu thereof the word: "the", and

Be further amended on page 7, Section 6, line 19 after the word: "transmit" by striking the word: "such" and inserting in lieu thereof the word: "the", and

Be further amended on page 8, Section 7, line 17 after the word and punctuation: "registered," by striking the word: "and", and

Be further amended on page 8, Section 7, line 21 after the word: "thereof" by striking the punctuation: "." and inserting in lieu thereof the punctuation and word: "; and", and

Be further amended on page 8, Section 7, after Subsection (j), after line 21 by inserting a new Subsection (k) as follows: "(k) Such reasonable documentation as the board shall require.", and

Be further amended on page 9, Section 7, line 12 after the word: "of" by striking the words: "a felony" and inserting in lieu thereof the words: "the offense of false swearing", and

Be further amended on page 10, after Section 11, beginning on line 20 be striking Section 12 in its entirety, and

As amended, do pass.

WATT, Chairman

Report adopted.

February 14, 1974

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 607, respectfully report as follows: That House Bill No. 607 do pass.

LEE, Chairman

Report adopted.

February 14, 1974

Mr. Speaker: We, your Committee on Natural Resources, having had under consideration House Bill No. 865, respectfully report as follows: That House Bill No. 865 be amended in the introduced bill as follows:

Amend on page 1, Section 1, Subsection (1), line 13 by omitting the word: "residing" and inserting in lieu thereof the words: "owning land", and be further amended following the words: "reach of a" by inserting the words: "free flowing", and

Further amend on page 1, Section 1, Subsection (2), line 24 by omitting the word: "The" and inserting in lieu thereof the following material: "However, if a majority of the private landowners in the proposed area notify the board of their opposition to the creation of the scenic river, then the board shall reject the proposal. Except as herein provided, the", and

Further amend on page 2, Section 1, Subsection (3), line 6 following the word: "department" by inserting the punctuation and words: ", or any other person,", and

Further amend on page 2, Section 2, line 11 following the word: "may" by inserting the following: "authorize or participate in the building of any impoundment within the scenic river area nor", and

As amended, do not pass.

SHELDEN, Chairman

February 14, 1974

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 938, respectfully report as follows: That House Bill No. 938 be amended on page 1, Section 1, line 16 after the stricken word and punctuation: "diem," by omitting the words and figures: "thirty-five dollars (\$35)" and inserting in lieu thereof the words and figures: "twenty-five dollars (\$25)", and

Be further amended on page 1, Section 1, line 17 after the word: "compensation" by omitting the words: "while traveling to and from board meetings" and inserting in lieu thereof a comma: ",", and

Be further amended on page 1, Section 1, line 18 after the word: "meetings" by adding the new material: "and for each full day away from home while conducting board business", and

As amended, do pass.

LEE, Chairman

Report adopted.

February 14, 1974

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 939, respectfully report as follows: That House Bill No. 939 be amended on page 1, line 4 by inserting the following numbers: "66-1025", and

Be further amended in the title on page 1, line 7 after the numbers: "66-1026" by adding the following new material: "and section 66-1025", and

Be further amended on page 1, Section 1, Subsection 1(b), line 25 after the word: "successors," by adding the following new material: "if the applicant is a graduate of a Canadian medical school which has been approved by the Medical Council of Canada, or successors," and

Be further amended on page 2, after Section 1, on line 20 by adding a new Section 2 to read as follows: "Section 2. Section 66-1025, R.C.M. 1947, is amended to read as follows:

'66-1025. Qualifications for licensure — physician's certificates, reciprocity and endorsement. (1) Subject to the other provisions and conditions of this act, a physician's certificate, or a certificate by reciprocity or a certificate by endorsement shall be granted by the board to an applicant therefor only upon the basis of:

(a) the passing by the applicant of an examination given and graded by the board; or

(b) a certification of record or other certificate of examination issued to or for the applicant by the national board of medical examiners, or successors, [or] by the federation licensing examination committee, or successors, or by the medical council of Canada, or successors, if the applicant is a graduate of a Canadian medical school which has been approved by the medical council of Canada, or successors, certifying that the applicant has passed an examination given by such board; or

(c) a valid, unsuspended and unrevoked license or certificate issued to the applicant on the basis of an examination, by a duly constituted examining board under the laws of any other state or any territory of the United States or of the District of Columbia or of any foreign country whose licensing standards at the time such license or certificate was issued were, in the considered judgment of the board, essentially equivalent to those of the state of Montana for the granting of a license to practice medicine, provided:

(i) that under the scope of such license or certificate the applicant was authorized to practice medicine in such state, territory or country;

(ii) that no applicant who applies for a license on the basis of an examination and fails the examination shall thereafter be granted a license based on credentials from another state, territory or foreign country or on a certificate issued by the national board of medical examiners, [or] by the federation licensing examination committee, or successors, or by the medical council of Canada, or successors;

(iii) that the board may, by specific regulation, prescribe and enforce reciprocity or endorsement requirements current with changes in standards in the practice of medicine; [and]

(iv) that the board may, in the case of an applicant for admission by reciprocity, or endorsement, require a written or oral examination of said applicant; and

(v) the board may require that graduates of foreign medical schools shall have passed the examination given by the education council for foreign medical graduates, or successors.", and

As amended, do pass.

(Material in brackets denotes cancelled type.)

LEE, Chairman

Report adopted.

February 14, 1974

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 959, respectfully report as follows: That House Bill No. 959 do not pass.

LEE, Chairman

February 14, 1974

Mr. Speaker: We, your Committee on Natural Resources, having had under consideration House Bill No. 1005, respectfully report as follows: That House Bill No. 1005 do pass.

SHELDEN, Chairman

Report adopted.

February 14, 1974

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having

had under consideration House Bill No. 1035, respectfully report as follows: That House Bill No. 1035 be amended on page 1, Section 1, Subsection (2), line 14 after the word: "shall" by adding the following new material: "be submitted quarterly and", and

As amended, do pass.

LEE, Chairman

Report adopted.

February 14, 1974

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 1074, respectfully report as follows: That House Bill No. 1074 do pass.

LEE, Chairman

Report adopted.

February 14, 1974

Mr. Speaker: We, your Committee on Natural Resources, having had under consideration House Joint Resolution No. 58 respectfully report as follows: That House Joint Resolution No. 58 be amended in the introduced copy as follows:

Amend on page 1, title, line 6 following the words: "conservation to" by inserting the words: "sell or", and

Be further amended on page 2, line 19 following the words: "directed to" by inserting the words: "sell or", and

Be further amended on page 2, line 20 following the words: "irrigation project" by omitting the words: "on July 1" and inserting in lieu thereof the words: "by November 1", and

As amended, do pass.

SHELDEN, Chairman

Report adopted.

February 14, 1974

Mr. Speaker: We, your Committee on State Administration, having had under consideration Senate Bill No. 481, respectfully report as follows: That Senate Bill No. 481 be not concurred in.

BRAND, Chairman

February 14, 1974

Mr. Speaker: We, your Committee on State Administration, having had under consideration Senate Bill No. 488, respectfully report as follows: That Senate Bill No. 488 be concurred in.

BRAND, Chairman

Report adopted.

February 14, 1974

Mr. Speaker: We, your Committee on State Administration, having had under consideration Senate Bill No. 508, respectfully report as follows: That Senate Bill No. 508 be amended on page 1 of the third reading bill, by amending Section 1, line 20 by omitting the period "." after the word: "agencies" and inserting in lieu thereof the following material: "; except those airplanes specifically manufactured or modified for uses other than transporting passengers.", and

As amended, be concurred in.

BRAND, Chairman

Report adopted.

February 14, 1974

Mr. Speaker: We, your Committee on Taxation, having had under consideration Senate Bill No. 589, respectfully report as follows: That Senate Bill No. 589 be concurred in.

WATT, Chairman

Report adopted.

February 14, 1974

Mr. Speaker: We, your Committee on State Administration, having had under consideration Senate Bill No. 667, respectfully report as follows: That Senate Bill No. 667 be concurred in.

BRAND, Chairman

Report adopted.

February 14, 1974

Mr. Speaker: We, your Committee on Taxation, having had under consideration House Bill No. 791, respectfully report as follows: That House Bill No. 791 do not pass.

WATT, Chairman

MESSAGE FROM THE GOVERNOR

February 14, 1974

Honorable Harold Gerke
Speaker of the House of Representatives
Capitol
Helena, Montana

Dear Mr. Speaker:

I have the honor to inform you that I have this day approved House Bill No. 300.

Sincerely,

THOMAS L. JUDGE
Governor

cc: Honorable Gordon McOmber

MESSAGES FROM THE OTHER HOUSE

February 14, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day authorized the President to appoint a Free Conference Committee to meet with a like committee of the House to confer on House Bill No. 822.

The President appointed the following members:

Senator McDonald, Chairman
Senator Hall
Senator Cochrane

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

February 14, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate on motion, duly carried, rejected the House amendments to Senate Bill No. 413.

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

February 14, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day failed to concur in House Amendments to Senate Bill No. 669 and the President was authorized to appoint a Conference Committee to meet with a like committee from the House to confer on House amendments to Senate Bill No. 669.

The President appointed the following members:

Senator Turnage, Chairman
Senator Bollinger
Senator Graham

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

February 14, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that House Amendments to Senate Bill No. 552 were this day concurred in by the Senate.

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

February 14, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was this day on Committee report, not concurred in, report adopted, and the bill is herewith returned to the House:

House Bill No. 559, introduced by Baucus, Bardanouve, et al

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

February 14, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read three times and concurred in as amended, title and history agreed to and the said bills are herewith returned to the House for concurrence in Senate amendments:

House Bill No. 654 introduced by Lynch, Lee, and Quilici

House Bill No. 787 introduced by Bradley, Mehrens, et al

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

February 14, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read three times and concurred in, title and history agreed to and the said bills are herewith returned to the House:

House Bill No. 663 introduced by Ulmer

House Bill No. 752 introduced by Tierney, Swanberg, et al

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

UNFINISHED BUSINESS

The Speaker appointed the following Free Conference Committee to meet with a like committee from the Senate on House Bill No. 22: Driscoll, Chairman; Flynn and Aageson.

Fasbender moved that the House adjourn until 1:30 p.m., February 15, 1974.

Motion carried.

House adjourned.

HAROLD E. GERKE, Speaker

EDWIN A. SMITH, Chief Clerk

THIRTY-FIFTH LEGISLATIVE DAY

Helena, Montana
February 15, 1974

House Chambers
Capitol Building

House convened at 1:30 p.m., Mr. Speaker in the Chair.

Invocation by the Chaplain.

Pledge of Allegiance to the Flag.

Roll call. All members present except Castles, Fagg, Haines, Hall; Jones, Mercer, Quilici, Watt and Zimmer, all excused.

Quorum present.

Mr. Speaker: We, your Committee on Bills and Journal, having examined the daily journal for the Thirty-fourth Legislative Day, find the same to be correct.

QUILICI, Chairman

REPORTS OF STANDING COMMITTEES

February 15, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly printed: House Bill No. 607, House Bill No. 615, House Bill No. 1005, House Bill No. 1039, House Bill No. 1074.

QUILICI, Chairman

February 14, 1974
reported February 15, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill correctly engrossed: House Bill No. 999.

QUILICI, Chairman

February 15, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills and resolutions considered correctly engrossed: House Bill No. 823, House Bill No. 891, House Bill No. 1082, House Joint Resolution No. 47, House Joint Resolution No. 79.

QUILICI, Chairman

February 14, 1974

The following bills were signed in the office of the Speaker of the House of Representatives by the Speaker Pro Tempore on February 14, 1974: Senate Bill No. 519, House Bill No. 645.

EDWIN A. SMITH, Chief Clerk
House of Representatives

Objection raised by Ulmer on adverse committee report on House Bill No. 791. Referred to Second Reading.

Objection raised by Yardley on adverse committee report on House Bill No. 865. Referred to Second Reading.

February 15, 1974

Mr. Speaker: We, your Committee on Highways and Transportation, having had under consideration House Bill No. 371, respectfully report as follows: That House Bill No. 371 be amended in the title, page 1, line 5 by striking the figures: "1973" and inserting in lieu thereof the figures: "1974", and

Be further amended on page 1, Section 1, line 12 by striking after the word: "of" the figures: "1973" and inserting in lieu thereof the figures: "1974", and

Further amend the introduced copy of page 1, 2 and 3 by striking Section 3 in its entirety and inserting in lieu thereof the following material:

"Section 3. (1) The department of highways of the state of Montana, referred to in this act as 'department', is designated as the state agency responsible for developing and coordinating a state-wide bikeways program.

(2) For the purposes of this act, 'bikeways program' includes, but is not limited to: surveys, safety measures, research, education, utilization of existing streets and walkways, construction of bicycle trails and footpaths, application for federal funds granted for bikeways purposes, and the promulgation of standards and regulations for the registration and use of bicycles.

Section 4. (1) Out of the funds received by the department of highways or by any county or by any city or town from the state highway earmarked revenue fund, reasonable amounts shall be expended as necessary for the establishment of footpaths and bicycle trails. Footpaths and bicycle trails may be established wherever highways, roads, or streets are being constructed, reconstructed, or located. Funds may also be expended to maintain footpaths and bicycle trails and to establish footpaths and bicycle trails along other highways, roads, and streets and in parks and recreation areas.

(2) Footpaths and bicycle trails shall not be established under subsection (1) of this section:

(a) where the establishment of such paths and trails would be contrary to public safety; or

(b) if the cost of establishing such paths and trails would be excessively disproportionate to the need or probable use.

Section 5. (1) The department of highways, the county board of any county, and the governing body of any city or town are hereby authorized to expend such funds as permitted by this act to plan, locate, construct, maintain, alter, improve and regulate the use of officially designated footpaths and bicycle trails. In expending funds available for the purposes of this act, the department shall cooperate with municipalities, counties, towns and other appropriate agencies and organizations.

(2) The amount expended by the department of highways as permitted by this act shall never in any one fiscal year be more than one percent (1%) of the total amount of the funds received by the department from the state highway earmarked revenue fund. The amount expended by a county or by a city or town as permitted by this act shall never in any one fiscal year be more than four percent (4%) of the total amount of the funds by each from the state highway earmarked revenue fund.", and

Further amend page 3, line 7 following the word: "section" by striking the figure: "4" and inserting in lieu thereof the figure: "6", and

Further amend page 3, line 10 by striking the word: "commission" and inserting in lieu thereof the word: "department", and

Further amend page 3, line 17 by striking the word: "commission" and inserting in lieu thereof the word: "department", and

Further amend page 3, line 18 by striking the word: "commission" and inserting in lieu thereof the word: "department", and

As amended, do pass.

HEALY, Chairman

Report adopted.

February 15, 1974

Mr. Speaker: We, your Committee on Highways and Transportation, having had under consideration House Bill No. 690, respectfully report as follows: That House Bill No. 690 do pass.

HEALY, Chairman

Report adopted.

February 15, 1974

Mr. Speaker: We, your Committee on Highways and Transportation, having had under consideration House Bill No. 783, respectfully report as follows: That House Bill No. 783 be amended in the title on line 10, page 1 by striking the semicolon ";", after the word: "delay" and inserting in lieu thereof a period "." and striking the balance of the title to and including line 15, and

Be further amended in Section 1, page 1, line 25 by reinserting the original words: "for the loss or injury thereof" and striking the words: "to the full extent of", and

Be further amended in Section 1, page 2, line 1 by striking the material: "the loss, damage or injury to such property", and

Be further amended in Section 1, page 2, line 7 after the semicolon ";" by striking the word: "or", and

Be further amended in Section 1, page 2, line 8, subparagraph (4) by striking the "." and inserting in lieu thereof the following material: ", or," and

Be further amended by adding the following material: "(5) The act or default of the shipper or owner or natural shrinkage.", and

Be further amended in Section 1, page 2 by striking lines 9 through 16 and inserting in lieu thereof the following material: "Claimant within fifteen (15) days after delivery must call for an inspection upon any damaged shipment and carrier must make such inspection within five (5) working days thereafter.", and

Be further amended in Section 1, page 2, line 19 by striking the words: "six (6) months" and inserting in lieu thereof the following words: "one hundred twenty (120) days", and

Be further amended in Section 1, page 2 by striking the material on lines 23, 24 and 25, and

Be further amended in Section 1, page 3 by striking the material on lines 1, 2 and 3, and

As amended, do pass.

HEALY, Chairman

February 14, 1974

Mr. Speaker: We, your committee on Judiciary having had under consideration House Bill No. 909, respectfully report as follows: That House Bill No. 909 be amended as follows:

Note: All amendments pertain to the introduced copy of House Bill No. 909.

Be amended on page 1, line 4, key line after the material: "69-6202," by striking the material: "69-6203, 80-2404," and

Be further amended on page 1, line 7, title, after the word: "adopting" by inserting the new material: "certain provisions", and

Be further amended on page 1, line 10, title, after the word: "by" by striking the material: "the uniform" and inserting in lieu thereof the new material: "this", and

Be further amended on page 1, line 11, title, after the material: "11-927," by striking the material: "69-6203, 80-2404," and

Be further amended on page 1, Section 1, line 19 after the word: "Montana" by inserting the new material: "to recognize alcoholism as an illness and", and

Be further amended on page 2, Section 2, line 10 after the material: "69-6216" by striking the material: "(3)", and

Be further amended on page 2, Section 2, line 14 after the word: "department" by striking the material: "under section 69-6218 and meeting the standards prescribed in section 69-6216(1)", and

Be further amended on page 2, Section 2, line 16 after the material: "69-6216" by striking the material: "(3)", and

Be further amended on page 4, Section 4, Subsection (4), line 24 after the material: "levels of" by striking the word: "school", and

Be further amended on page 6, Section 4, Subsection (14), line 11 after the word: "the" by striking the material: "attorney general" and inserting in lieu thereof the new material: "department of justice", and

Be further amended on page 6, Section 4, Subsection (17), line 22 after the material: "of the" by striking the word: "division" and inserting in lieu thereof the new material: "department", and

Be further amended on page 12, Section 9, Subsection (2), lines 14, 15 and 16 after the material: "himself." by striking the material: "A taking into protective custody under this section is not an arrest.", and

Be further amended on page 12, Section 9, Subsection (2), line 16 after the word: "record" by striking the word: "shall" and inserting in lieu thereof the word: "may", and

Be further amended on page 12, Section 9, Subsection (2), line 17 after the word: "person" by inserting the new material: "taken into custody under this section", and

Be further amended on page 13, Section 9, Subsection (5), line 9 after the word:

"facility" by striking the punctuation mark: ",", and inserting in lieu thereof the word: "and", and

Be further amended on page 13, Section 9, Subsection (5), line 10 after the material: "facility," by striking the material: "and has no funds," and

Be further amended on page 13, Section 9, Subsection (5), line 10 after the word: "home" by striking the material: ", if any", and

Be further amended on page 13, Section 9, Subsection (7), lines 18, 19 and 20 by striking all of Subsection (7) in its entirety, and

Be further amended on page 14, Section 10, Subsection (2), line 16 after the material: "or the" by striking the word: "division" and inserting in lieu thereof the new material: "department", and

Be further amended on page 15, Section 10, Subsection (5), line 12 after the word: "section" by striking the material: "69-6224" and inserting in lieu thereof the new material: "69-6221", and

Be further amended on page 16, Section 11, Subsection (1), line 2 after the word: "department" by inserting the new material: "of institutions", and

Be further amended on page 17, Section 11, Subsection (3) line 13 after the material: "sought." by inserting the new material: "The person shall have a right to have a licensed physician of his own choosing examine him and testify on his behalf, and if he has no funds with which to pay such physician, the reasonable costs of one such examination and testimony shall be paid by the county.", and

Be further amended on page 17, Section 11, Subsection (3), line 15 after the material: "him;" by striking the material: "in this event" and inserting in lieu thereof the new material: "he shall be advised of his right to counsel and. if he is unable to hire his own counsel, the court shall appoint an attorney", and

Be further amended on page 17, Section 11, Subsection (3), line 16 by striking the words: "guardian ad litem", and

Be further amended on page 17, Section 11, Subsection (3), lines 16 and 17 after the word: "him" by striking the material: "throughout the proceeding" and inserting in lieu thereof the new material: "at the expense of the county", and

Be further amended on page 17, Section 11, Subsection (3), lines 19, 20 and 21 after the material: "chambers." by striking the material: "If the person has refused to be examined by a licensed physician, he shall be given an opportunity to be examined by a court-appointed licensed physician.", and

Be further amended on page 17, Section 11, Subsection (3), line 21 after the material: "If he" by striking the word: "refused" and inserting in lieu thereof the new material: "refuses an examination by a licensed physician", and

Be further amended on page 17, Section 11, Subsection (3), line 25 after the word: "department" by inserting the new material: "of institutions", and

Be further amended on page 18, Section 11, Subsection (4), line 4 after the word: "department" by inserting the new material: "of institutions", and

Be further amended on page 18, Section 11, Subsection (4), line 6 after the word: "convincing" by striking the word: "proof" and inserting in lieu thereof the new material: "evidence", and

Be further amended on page 18, Section 11, Subsection (4), line 7 after the word: "department" by inserting the new material: "of institutions", and

Be further amended on page 18, Section 11, Subsection (4), line 8 after the material: "that the" by striking the word: "division" and inserting in lieu thereof the new word: "department of institutions", and

Be further amended on page 18, Section 11, Subsection (5), line 13 after the word: "department" by inserting the new material: "of institutions", and

Be further amended on page 18, Section 11, Subsection (5), line 16 after the word: "department" by inserting the new material: "of institutions", and

Be further amended on page 18, Section 11, Subsection (5), line 17 after the word: "order" by inserting the new material: "from the district court of the committing district", and

Be further amended on page 18, Section 11, Subsection (5), line 21 after the word: "department" by inserting the new material: "of institutions", and

Be further amended on page 18, Section 11, Subsection (6), line 25 after the word: "department" by inserting the new material: "of institutions", and

Be further amended on page 19, Section 11, Subsection (6), line 2 after the word: "department" by inserting the new material: "of institutions", and

Be further amended on page 19, Section 11, Subsection (6), line 3 after the word: "order" by inserting the new material: "from the district court of the committing district", and

Be further amended on page 19, Section 11, Subsection (8), lines 23 through 25 and on page 20, lines 1 and 2 by striking Subsection (8) in its entirety and renumbering subsequent subsections to conform numerically, and

Be further amended on page 20, Section 11, Subsection (9), line 4 after the word: "department" by inserting the new material: "of institutions", and

Be further amended on page 20, Section 11, Subsection (a), line 9 after the word: "longer" by striking the material: "an alcoholic" and inserting in lieu thereof the new material: "in need of treatment", and

Be further amended on page 21, Section 11, Subsection (11), line 9 by deleting the material: "administrator of the public treatment facility shall" and inserting in lieu thereof the new material: "department of institutions may", and

Be further amended on page 21, Section 12, Subsection (1), line 21 after the word: "shall" by inserting the new material: "be kept confidential by the department and by anyone authorized by law to examine them", and

Be further amended on page 23, Section 15, line 13 after the word: "under" by striking the material: "sections 69-6214 through 69-6228" and inserting in lieu thereof the new material: "this act", and

Be further amended on page 23, Section 16, Subsection (1), line 23 through page 24, line 1 after the material: "[family,]" by striking the material: "A district court hearing a petition for involuntary commitment of an alcoholic under section 69-6224, may, with or without such order for commitment," and inserting in lieu thereof the new material: "Where it appears to the satisfaction of a district court that an individual lacks self-control as to the use of alcoholic beverages, or uses alcoholic beverages to the extent that his health is substantially impaired or endangered or his social or economic function is substantially disrupted, the court may", and

Be further amended on page 24, Section 16, Subsection (1), line 4 after the material: "with the" by striking the word: "board" and inserting in lieu thereof the new material: "department of revenue", and

Be further amended on page 24, Section 16, Subsection (2), line 13 after the word: "the" by striking the word: "board" and inserting in lieu thereof the material: "department", and

Be further amended on page 24, Section 16, Subsection (2), line 16 after the word: "the" by striking the word: "board" and inserting in lieu thereof the new material: "department", and

Be further amended on page 24, Section 16, Subsection (2), line 16 after the word: "it." by inserting the new material: "All liquor not delivered to the department under this subsection may be confiscated and forfeited to the state.", and

Be further amended on page 25, line 2 through page 28, line 2, Sections 18 and 19 by striking all of Sections 18 and 19 in their entirety and renumbering subsequent sections to conform numerically, and

Be further amended on page 28, line 11 through page 31, line 1, Sections 21 and 22 by striking all of Sections 21 and 22 in their entirety and renumbering subsequent sections accordingly, and

Be further amended on page 31, present Section 24, line 23 after the material: "chapter." by inserting a new Section 21 to read as follows: "Section 21. The department and the department of institutions shall achieve full implementation of the provisions of the Act, as set forth in this chapter and related sections, no later than January 1, 1976. A progress report on the implementation shall be made to the 1975 legislative session. Thereafter the departments shall report, to each legislative session, on the status of the implemented Act. This report, or any part thereof, may be included as the department's state plan for alcohol abuse and alcoholism.", and

As amended, do pass.

(Material in brackets denotes cancelled type.)

YARDLEY, Vice-Chairman

Report adopted.

February 14, 1974

Mr. Speaker: We, your Committee on Agriculture, Livestock and Irrigation, having had under consideration Senate Bill No. 507, respectfully report as follows: That Senate Bill No. 507 be amended in the Senate Third Reading bill as follows:

Amend on page 1, line 10 of the title, after the words: "effective date" by inserting the following new material: "; and to provide a refund for all late application penalties collected under subsection (4)(A) of Section 84-437.2, R.C.M. 1947, as it was before these amendments", and

Further amend page 2, Section 2, line 5 after the word: "meets" by striking the words: "any of", and

Further amend page 2, Section 2, lines 7 and 8 after the word: "agriculture" by inserting the following new material: "or it has been historically devoted to agricultural use and it has been valued and assessed as agricultural lands for the taxable years 1971, 1972 and 1973 and it continues to be devoted to agricultural use", and

Further amend page 2, Section 2, line 10 after the word: "vegetables," by striking the following words: "flowers, and ornamental plants,", and

Further amend page 2, Section 2, lines 12 and 13 after the words: "is used" by striking the words: "in the feeding, breeding, or management of livestock" and inserting in lieu thereof the following new material: "for grazing", and

Further amend page 2, Section 2, line 14 after the word: "program;" by striking the word: "or" and inserting in lieu thereof the word: "and", and

Further amend page 2, Section 2, line 15 by striking the following material: "(D) It is timber land used to produce wood products.", and

Further amend page 2, Section 2, line 19 after the word: "produced" by inserting the following new material: "for sale or home consumption", and

Further amend page 2, Section 2, line 22 after the word: "produces" by inserting the following new material: "for sale or home consumption", and

Further amend pages 3 and 4, lines 25 through 4, by striking Subsection (4) in its entirety, and

Further amend page 5, after line 11 by adding a new Section 7, which reads as follows:

"Section 7. Refund of late filing fee. The county commissioners shall refund twenty-five dollars (\$25) to each person who paid a late filing fee under the provisions of section 84-437.2 (4)(A).", and

Further amend page 5, line 12 by renumbering the old Section 7 to be Section 8, and

As amended, be concurred in.

EDLAND, Vice-Chairman

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 959 was adopted by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Barrett, Bell, Bennetts, Bradley, Burnett, Campbell, Clemow, Colberg, Cox, Driscoll, East, Fasbender, Fleming, Flynn, Forsgren, Glennen, Greely, Gunderson, Hageman, Hager, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Jacobsen, Johnston, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, McKittrick, Mann, Manuel, Marbut, Mehrens, Murphy, Norman, Olson, Prevost, Regan, Roberts, Rolfe, Schepens, Seifert, Selstad, Shelden, Smith, Staigmillier, Stephens, Stoltz, Tierney, Towe, Turman, Turner, Walborn, Warfield, Yardley, Mr. Speaker. Total 75.

Noes: None.

Excused: Castles, Fagg, Haines, Hall, Jones, Mercer, Quilici, Watt, Zimmer. Total 9.

Absent or not voting: Bardanouve, Baucus, Brand, Brown, Cotton, Edland, Ellerd, Holtz, Huennekens, Lynch, Marks, Menahan, Schye, Swanberg, Ulmer. Total 16.

In accordance with the 24 hour rule, the adverse committee report on Senate Bill No. 481 was adopted by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Bell, Bennetts, Bradley, Brand, Burnett, Campbell, Clemow, Colberg, Cox, Driscoll, East, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Regan, Roberts, Rolfe, Schepens, Selstad, Shelden, Smith, Staigmillier, Stephens, Stoltz, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Yardley, Mr. Speaker. Total 81.

Noes: None.

Excused: Castles, Fagg, Haines, Hall, Jones, Mercer, Quilici, Watt, Zimmer. Total 9.

Absent or not voting: Baucus, Brown, Cotton, Edland, Ellerd, Holmes, Lynch, Schye, Seifert, Swanberg. Total 10.

MESSAGES FROM THE GOVERNOR

February 15, 1974

Honorable Harold Gerke
Speaker of the House of Representatives
Capitol
Helena, Montana

Dear Mr. Speaker:

I have the honor to inform you that I have this day approved the following measures:

House Bills Nos.: 687, 715, 743, 754, 778, and 872.

Sincerely,

THOMAS L. JUDGE
Governor

cc: Honorable Gordon McOmber

February 15, 1974

Honorable Gordon McOmber
President of the Senate
Capitol
Helena, Montana

Dear Mr. President:

I have the honor to inform you that I have this day approved Senate Bill No. 465.

Sincerely,

THOMAS L. JUDGE
Governor

cc: Honorable Harold Gerke

MESSAGE FROM THE OTHER HOUSE

February 14, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bills and Resolution were this day read three several times, and passed, title and history agreed to, and the bills and resolution are herewith transmitted to the House for concurrence:

Senate Bill No. 624 introduced by Klindt and Bollinger

Senate Bill No. 665 introduced by Lynch, McGowan, et al

Senate Bill No. 718 introduced by Lynch

Senate Joint Resolution No. 59 introduced by Bollinger and Klindt

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

MOTIONS

Tierney moved that Senate Bill No. 42 be taken from the Committee on Finance and Claims and placed on Second Reading.

Motion failed.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following bills and resolution were introduced, read first time and referred to committees:

Senate Bill No. 624, introduced by Klindt, Bollinger: A bill for an act entitled: "An act to amend Sections 70-704 and 70-707, R.C.M. 1947 of the Consumer Counsel Act, to permit more frequent meetings of the Legislative Consumer Committee; to grant to the Consumer Counsel some discretion in the hearings he must attend; to specify investigatory and discovery powers of the Consumer Counsel; to authorize the Consumer Counsel to participate in court proceedings involving the Public Service Commission and utility and transportation consumers pending before state and federal courts in addition to instituting such proceedings; and to authorize the Consumer Counsel to participate in appropriate proceedings conducted by federal administrative agencies." Referred to Committee on Business and Industry.

Senate Bill No. 665, introduced by Lynch, McGowan, Bertsche, Manning, McKeon, Nees, McOmber: A bill for an act entitled: "An act to provide property

tax relief to homeowners and rentors who qualify under the provisions of this act." Referred to Committee on Taxation.

Senate Bill No. 718, introduced by Lynch: A bill for an act entitled: "An act amending Section 4-332, R.C.M. 1947, to provide for special permits to sell beer for any picnic, convention, fair, civic or community enterprise." Referred to Committee on Taxation.

Senate Joint Resolution No. 59, introduced by Bollinger, Klindt: A Joint Resolution of the Senate and the House of Representatives of the State of Montana directing the Legislative Consumer Committee and the Consumer Counsel to conduct a study and make recommendations concerning the remuneration paid to owners of natural gas rights for their resource. Referred to Committee on Business and Industry.

House Bill No. 1116, introduced by Norman, Brand, Bell: A bill for an act entitled: "An act appropriating the sum of two million, six hundred thousand dollars (\$2,600,000) from the general fund to the Board of Examiners for the purpose of payment of an honorarium to residents of Montana who served in the military services in the Vietnam area during the Vietnam war." Referred to Committee on Finance and Claims.

House Bill No. 1117, introduced by Fleming, Murphy, Jacobsen, Lien, Edland: A bill for an act entitled: "An act to appropriate money for capital projects for the biennium ending June 30, 1975 and providing for other matters relating to the appropriations." Referred to Committee on Finance and Claims.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Fasbender moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading under the rules of the previous sitting.

Motion carried.

Yardley in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

February 15, 1974

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That House Bill No. 550 be amended in the title of the second reading copy, line 9 following the word: "county" by inserting the following words and punctuation: "; and providing an effective date" (68-4), and

Further amend on page 4, Section 5, line 1 by omitting the material: "by January 1, 1975" and inserting after the word: "hereunder" the following material: "within one hundred twenty (120) days of receipt of minimum standards promulgated under section 6 of this act." (71-1), and

Holtz excused at this time.

As amended, do pass. (60-28)

That House Bill No. 698 do pass. (75-0)

That House Bill No. 714 be passed for the day.

That House Bill No. 895 be passed for the day.

Castles present at this time.

That House Bill No. 910 do pass. (74-0)

That House Bill No. 940 do pass. (66-3)

That House Bill No. 949 be amended in the title of the second reading bill, page 1, line 8 by striking the word: "designating" and inserting in lieu thereof the word: "allowing", and

Further amend the title in line 9 by adding the words: "to act" after the word: "game" (74-1), and

As amended, do pass. (57-26)

That House Bill No. 1003 be amended in Section 4, page 4, line 8 of the second reading bill by striking the word: "abortion" and inserting in lieu thereof the words: "problem pregnancy" (55-2), and

Further amend Section 8, page 6, lines 24 and 25 by striking all the material after the word: "counseling" and inserting in lieu thereof the punctuation: ".", and

Further amend by deleting all the material on page 7 (68-0), and

As amended, do pass. (59-18)

That House Bill No. 1026 do pass. (79-1)

Fagg present at this time.

That House Bill No. 1071 do not pass. (66-24)

Clemow excused at this time.

That House Bill No. 1081 do pass. (67-0)

That House Resolution No. 52 be adopted. (76-1)

That Senate Bill No. 484 be concurred in. (72-1)

That Senate Bill No. 488 be concurred in. (73-4)

That Senate Bill No. 534 be passed to the bottom of the board.

That Senate Bill No. 551 be concurred in. (71-0)

That Senate Bill No. 575 be concurred in (66-6)

That Senate Bill No. 576 be concurred in. (67-7)

That Senate Bill No. 589 be concurred in. (74-1)

Clemow present at this time.

That Senate Bill No. 667 be concurred in. (76-2)

That Senate Amendments to House Bill No. 654 be not concurred in. (74-10)

That Senate Amendments to House Bill No. 787 be concurred in. (73-7)

That Senate Bill No. 534 be passed for the day.

That the committee rise and report.

YARDLEY, Chairman

Report adopted.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

Fagg and Kendall excused at this time.

House Bill No. 617 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Driscoll, Edland, Ellerd, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Regan, Roberts, Schepens, Schye, Seifert,

Selstad, Shelden, Smith, Staigmilller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Yardley, Mr. Speaker. Total 84.

Noes: Hager, Marks. Total 2.

Excused: Fagg, Haines, Hall, Holtz, Jones, Kendall, Mercer, Quilici, Watt, Zimmer. Total 10.

Absent or not voting: Cox, East, Kessner, Rolfe. Total 4.

House Bill No. 657 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Driscoll, East, Edland, Ellerd, Fاسبender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Regan, Roberts, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmilller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Yardley, Mr. Speaker. Total 87.

Noes: None.

Excused: Fagg, Haines, Hall, Holtz, Jones, Kendall, Mercer, Quilici, Watt, Zimmer. Total 10.

Absent or not voting: Cox, Kessner, Rolfe. Total 3.

House Bill No. 777 was passed by the following vote:

Ayes: Aageson, Ainsworth, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Driscoll, Edland, Ellerd, Fاسبender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Huennekens, Jacobsen, Johnston, Kimble, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Marbut, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Regan, Roberts, Schye, Seifert, Shelden, Smith, Staigmilller, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Yardley, Mr. Speaker. Total 77.

Noes: Asbjornson, Burnett, East, Hubing, Kolstad, Manuel, Marks, Schepens, Selstad, Stephens. Total 10.

Excused: Fagg, Haines, Hall, Holtz, Jones, Kendall, Mercer, Quilici, Watt, Zimmer. Total 10.

Absent or not voting: Cox, Kessner, Rolfe. Total 3.

House Bill No. 786 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bradley, Brand, Brown, Burnett, Castles, Clemow, Cotton, Driscoll, Edland, Ellerd, Fاسبender, Fleming, Forsgren, Glennen, Gunderson, Hageman, Hager, R. Harper, Healy, Hodges, Johnston, Kimble, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Mehrens, Menahan, Murphy, Olson, Prevost, Regan, Schepens, Schye, Seifert, Staigmilller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Yardley, Mr. Speaker. Total 66.

Noes: Bennetts, Campbell, Colberg, East, Flynn, Halvorson, H. Harper, Holmes, Hubing, Huennekens, Kolstad, Lund, Marks, Norman, Selstad. Total 15.

Excused: Fagg, Haines, Hall, Holtz, Jones, Kendall, Mercer, Quilici, Watt, Zimmer. Total 10.

Absent or not voting: Cox, Galt, Greely, Kessner, Jacobsen, Roberts, Rolfe, Shelden, Smith. Total 9.

House Bill No. 795 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bennetts, Bradley, Brand, Brown, Colberg, Driscoll, Edland, Ellerd, Fasbender, Fleming, Flynn, Forsgren, Glennen, Greely, Gunderson, Hageman, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Huennekens, Jacobsen, Johnston, Kimble, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Regan, Roberts, Schepens, Seifert, Shelden, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Ulmer, Warfield, Yardley, Mr. Speaker. Total 70.

Noes: Bell, Burnett, Campbell, Castles, Clemow, Cotton, East, Galt, Hager, Hubing, Kessner, Kolstad, Marks, Schye, Selstad, Smith, Turner, Walborn. Total 18.

Excused: Fagg, Haines, Hall, Holtz, Jones, Kendall, Mercer, Quilici, Watt, Zimmer. Total 10.

Absent or not voting: Cox, Rolfe. Total 2.

House Bill No. 916 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Driscoll, Edland, Ellerd, Fasbender, Fleming, Flynn, Forsgren, Glennen, Greely, Gunderson, Hageman, Hager, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Huennekens, Jacobsen, Johnston, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Norman, Prevost, Regan, Roberts, Schepens, Schye, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Ulmer, Walborn, Warfield, Yardley, Mr. Speaker. Total 79.

Noes: Burnett, East, Galt, Hubing, Olson, Seifert, Selstad. Total 7.

Excused: Fagg, Haines, Hall, Jones, Kendall, Mercer, Quilici, Watt, Zimmer. Total 9.

Absent or not voting: Cox, Holtz, Kessner, Rolfe, Turner. Total 5.

House Bill No. 918 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Barrett, Baucus, Bell, Bennetts, Bradley, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, East, Edland, Ellerd, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Kimble, Kolstad, Kosena, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Marbut, Marks, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Schepens, Schye, Selstad, Shelden, Smith, Staigmiller, Stoltz, Swanberg, Tierney, Towe, Turman, Ulmer, Walborn, Warfield, Yardley, Mr. Speaker. Total 78.

Noes: Bardanouve, Brand, Driscoll, Kvaalen, Mann, Manuel, Seifert, Stephens, Turner. Total 9.

Paired: Quilici, aye; Bardanouve, nay.

Excused: Fagg, Haines, Hall, Holtz, Jones, Kendall, Mercer, Watt, Zimmer. Total 9.

Absent or not voting: Brown, Cox, Kessner, Rolfe. Total 4.

House Bill No. 920 was passed by the following vote:

Ayes: Aageson, Ainsworth, Baeth, Bardanouve, Baucus, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Colberg, Cotton, Driscoll, East, Edland, Ellerd, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes,

Huennekens, Jacobsen, Johnston, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Mehrens, Menahan, Murphy, Norman, Prevost, Regan, Roberts, Schepens, Schye, Seifert, Selstad, Shelden, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Yardley, Mr. Speaker. Total 76.

Noes: Asbjornson, Barrett, Bell, Castles, Clemow, Hubing, Marks, Olson, Smith, Walborn. Total 10.

Excused: Fagg, Haines, Hall, Holtz, Jones, Kendall, Mercer, Quilici, Watt, Zimmer. Total 10.

Absent or not voting: Cox, Kessner, Rolfe, Staigmiller. Total 4.

House Bill No. 933 was passed by the following vote:

Ayes: Aageson, Ainsworth, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Driscoll, East, Edland, Ellerd, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Hageman, Hager, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Regan, Roberts, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Yardley, Mr. Speaker. Total 84.

Noes: None.

Excused: Fagg, Haines, Hall, Holtz, Jones, Kendall, Mercer, Quilici, Watt, Zimmer. Total 10.

Absent or not voting: Asbjornson, Cox, Gunderson, Kessner, Lynch, Rolfe. Total 6.

House Bill No. 999 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Driscoll, East, Edland, Ellerd, Fasbender, Fleming, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Roberts, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Yardley, Mr. Speaker. Total 83.

Noes: McKittrick, Regan. Total 2.

Excused: Fagg, Haines, Hall, Holtz, Jones, Kendall, Mercer, Quilici, Watt, Zimmer. Total 10.

Absent or not voting: Cox, Flynn, Kessner, Lynch, Rolfe. Total 5.

House Bill No. 1008 was passed by the following vote:

Ayes: Aageson, Ainsworth, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Driscoll, East, Edland, Fasbender, Fleming, Forsgren, Greely, Gunderson, Hageman, Hager, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Huennekens, Jacobsen, Johnston, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Norman, Prevost, Regan, Roberts, Schepens, Seifert, Selstad, Shelden, Staigmiller, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Yardley, Mr. Speaker. Total 74.

Noes: Asbjornson, Burnett, Cotton, Ellerd, Galt, Hubing, Lockrem, Olson, Schye, Smith, Stephens, Walborn. Total 12.

Excused: Fagg, Haines, Hall, Holtz, Jones, Kendall, Mercer, Quilici, Watt, Zimmer. Total 10.

Absent or not voting: Cox, Flynn, Glennen, Rolfe. Total 4.

House Bill No. 1010 was passed by the following vote:

Ayes: Aageson, Ainsworth, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Driscoll, East, Edland, Ellerd, Fasbender, Fleming, Flynn, Forsgren, Glennen, Greely, Gunderson, Hageman, Hager, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Regan, Roberts, Schepens, Seifert, Selstad, Shelden, Smith, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Yardley, Mr. Speaker. Total 82.

Noes: Asbjornson, Burnett, Galt, Schye. Total 4.

Excused: Fagg, Haines, Hall, Holtz, Jones, Kendall, Mercer, Quilici, Watt, Zimmer. Total 10.

Absent or not voting: Cox, Kessner, Kimble, Rolfe. Total 4.

House Bill No. 1034 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Driscoll, East, Edland, Ellerd, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Regan, Roberts, Schepens, Schye, Selstad, Shelden, Smith, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Mr. Speaker. Total 85.

Noes: Seifert. Total 1.

Excused: Fagg, Haines, Hall, Holtz, Jones, Kendall, Mercer, Quilici, Watt, Zimmer. Total 10.

Absent or not voting: Cox, Kessner, Rolfe, Yardley. Total 4.

House Bill No. 1069 was passed by the following vote:

Ayes: Aageson, Ainsworth, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Castles, Colberg, Cotton, Driscoll, East, Edland, Ellerd, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Huennekens, Jacobsen, Johnston, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Olson, Prevost, Regan, Roberts, Schepens, Schye, Seifert, Shelden, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Yardley, Mr. Speaker. Total 76.

Noes: Asbjornson, Brown, Burnett, Campbell, Clemow, Hager, Hubing, Lundgren, Selstad, Smith. Total 10.

Excused: Fagg, Haines, Hall, Holtz, Jones, Kendall, Mercer, Quilici, Watt, Zimmer. Total 10.

Absent or not voting: Cox, Kessner, Norman, Rolfe. Total 4.

House Bill No. 1073 was passed by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Driscoll, East, Edland, Ellerd, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Halvorson, H. Harper, R. Harper, Hodges, Holmes,

Hubing, Huennekens, Jacobsen, Johnston, Kimble, Kolstad, Kosena, Laas, Lee, Lien, Lockrem, Lucas, Lund, Lundgren, Lynch, Mann, Manuel, Marks, Mehrens, Menahan, Murphy, Prevost, Regan, Roberts, Schepens, Schye, Seifert, Selstad, Shelden, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Yardley, Mr. Speaker. Total 76.

Noes: Ainsworth, Bradley, Healy, Lombardi, McKittrick, Marbut. Total 6.

Excused: Fagg, Haines, Hall, Holtz, Jones, Kendall, Mercer, Quilici, Watt, Zimmer. Total 10.

Absent or not voting: Cox, Kessner, Kvaalen, Norman, Olson, Rolfe, Smith, Walborn. Total 8.

House Bill No. 1085 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Driscoll, East, Edland, Ellerd, Fasbender, Fleming, Flynn, Forsgren, Galt, Greely, Gunderson, Hageman, Hager, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Olson, Prevost, Regan, Roberts, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Yardley, Mr. Speaker. Total 84.

Noes: Glennen. Total 1.

Excused: Fagg, Haines, Hall, Holtz, Jones, Kendall, Mercer, Quilici, Watt, Zimmer. Total 10.

Absent or not voting: Cox, Kessner, Lundgren, Norman, Rolfe. Total 5.

REPORTS OF STANDING COMMITTEES

February 15, 1974

I have examined House Joint Resolution No. 44 introduced by me and find the same to be correct.

ROLFE

February 15, 1974

I have examined House Bill No. 951 introduced by me and find the same to be correct.

ROBERTS

February 15, 1974

I have examined House Bill No. 779 introduced by me and find the same to be correct.

KIMBLE

February 15, 1974

I have examined House Joint Resolution No. 42 introduced by me and find the same to be correct.

CAMPBELL

February 15, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills and resolution correctly printed: House Bill No. 448, House Bill No. 665, House Bill No. 690, House Bill No. 964, House Bill No. 926, House Bill No. 1020, House Bill No. 1035, House Bill No. 1056, House Bill No. 1066, House Joint Resolution No. 80.

FLEMING, Vice-Chairman

February 15, 1974

The following bills and resolutions will be signed at adjournment on February 15, 1974, in the office of the Speaker of the House of Representatives: House Joint Resolution No. 42, House Joint Resolution No. 44, House Bill No. 779, House Bill No. 951.

EDWIN A. SMITH, Chief Clerk
House of Representatives

February 15, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills and resolutions correctly enrolled: House Joint Resolution No. 42, House Joint Resolution No. 44, House Bill No. 779, House Bill No. 951.

FLEMING, Vice-Chairman

February 15, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills and resolutions correctly engrossed: House Bill No. 846, House Bill No. 866, House Joint Resolution No. 54, House Joint Resolution No. 62.

FLEMING, Vice-Chairman

February 14, 1974

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 596, respectfully report as follows: That House Bill No. 596 be amended in the title on page 1, lines 4 and 5 after the words: "impose a" by omitting the words: "tax on certain emissions of sulfur oxides" and inserting in lieu thereof the new material: "charge on certain emissions of sulfur oxides in excess of the standards in the regulations according to title 16, subtitle 2, chapter 14, section 1470 of the Montana Administrative Code", and

Be further amended on page 1, line 8 after the enacting clause by omitting all the material through and including the word: "emissions." on page 2, and

Be further amended by inserting in lieu thereof the following new material:

"Section 1. Purpose. (1) It is the constitutionally declared policy of this state to maintain and improve a clean and healthful environment for present and future generations, and to protect the environmental life support system from degradation.

The legislature finds that sulfur oxide emissions constitute one of the air pollutants most damaging to human health and property and vegetation. The legislature further finds that it is necessary to require emitters of sulfur oxides to internalize the costs of their pollution and to stimulate them to develop and install control technology that would minimize sulfur emissions.

The legislature therefore determines that a charge should be imposed upon emitters of sulfur oxides in order to reduce emissions and to protect the people, property and vegetation of this state.

Section 2. Definitions. (1) The following words, when used in this act, shall have the following meanings unless otherwise clearly apparent from the context:

(a) The word 'department' means the department of health and environmental sciences.

(b) An 'emission' means the emission of sulfur oxides from a stationary source into the atmosphere.

(c) 'Stationary source' means any building, plant, structure, facility or installation which may emit any air pollutant.

(d) 'Sulfur oxides' has the same meaning as such term has for purposes of standards applicable to sulfur oxides prescribed under title 16, subtitle 2, chapter 14, section 1470 of the Montana Administrative Code.

Section 3. Measurement of emissions. Within six (6) months from the effective date of this act, the department shall have measured emissions from all stationary sources within this state, where the department believes or has reason to believe that any such stationary source is emitting sulfur oxides in excess of the standards prescribed in title 16, subtitle 2, chapter 14, section 1470 of the Montana Administrative Code.

Section 4. Determination of charge. Within one (1) year from the effective date of this act, the department shall hold public hearings and issue a schedule of charges to be made for emissions from stationary sources. The schedule of charges for emissions shall not be adopted except upon compliance with the provisions of the Montana Administrative Procedure Act. (1) In determining the charge for emissions, the department shall be guided by the purposes expressed in section 1 of this act.

(2) Charges shall be determined on the basis of units of emission, in excess of the standards prescribed in title 16, subtitle 2, chapter 14, section 1470 of the Montana Administrative Code.

(3) The department shall have the responsibility for amending the schedule of charges and shall do so annually, making any necessary additions, reductions, and deletions from the schedule, provided that prior to any new schedule taking effect, the department shall first have followed all relevant notice and hearings procedures as described in this act and in the Montana Administrative Procedure Act.

Section 5. Collection of charge. The department shall, within one (1) year from the effective date of this act, deliver to the department of revenue a list of all owners or operators of all stationary sources subject to the payment of a charge, hereunder, and the amount of such charge for each such owner or operator. The department of revenue will collect said charges annually for deposit into the general fund.

Section 6. Review of allocation of charges. Any party aggrieved by the final decision of the department in connection with allocation of charges for emissions may obtain judicial review of said decision pursuant to section 82-4216, R.C.M. 1947.

Section 7. Severability. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act, or the application of the provisions to another person or circumstance, is not affected.", and

As amended, do pass.

LEE, Chairman

Report adopted.

February 15, 1974

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration House Bill No. 683, respectfully report as follows: That House Bill No. 683 be amended as follows:

Amend the title, page 1, line 11 of the introduced bill, following the word: "campaign" by inserting the words: "contributions and", and

Further amend the title, page 1, line 12 by striking the words: "position of commissioner" and inserting in lieu thereof the word: "commission", and

Further amend the title, page 1, line 19 following the figures: "1947" by inserting the following material: "; and providing an effective date", and

Further amend Section 1, page 1, line 25 following the word: "nomination" by inserting the punctuation and words: ", certificate of nomination.", and

Further amend Section 1, page 2, line 1 following the words: "required by" by striking the material: "section 23-3304, R.C.M. 1947" and inserting in lieu thereof the word: "law", and

Further amend Section 1, page 2, following line 8 by inserting a new Subsection (2) as follows and renumbering the remaining subsections:

"Commission" means the commission on campaign finances and practices appointed in accordance with this act.", and

Further amend Section 1, Subsection (2), page 2, line 9 following the word: "the" by striking the remainder of the subsection and inserting in lieu thereof the following material: "individual hired as staff director by the commission as provided by this act", and

Further amend Section 1, Subsection (5), page 2, line 21 following the word: "municipal" by inserting the punctuation: ",", and

Further amend Section 1, page 3, line 18 following the word: "election" by inserting the following material: ", but does not include the following expenses paid from the personal funds of a candidate:

(a) any payment for food, clothing, lodging, or personal necessities of the candidate himself; and

(b) any payment for the personal travel expenses of a candidate for the legislature, district judge, or local office.", and

Further amend Section 1, page 4, line 4 following the word: "candidate" by inserting the punctuation: ",", and

Further amend Section 2, page 5, line 13 by striking the words: "officer" and inserting in lieu thereof the word: "office", and

Further amend Section 2, page 5, line 14 by striking the words: "files for nomination or election or with whom" and inserting in lieu thereof the word: "or", and

Further amend Section 3, page 8, line 5 by striking the words: "secretary of state" and inserting in lieu thereof the word: "commissioner", and

Further amend Section 3, page 8, line 12 by striking the words: "secretary of state" and inserting in lieu thereof the word: "commissioner", and

Further amend Section 3, page 8, line 13 by striking the word: "secretary" and inserting in lieu thereof the word: "he", and

Further amend Section 3, page 8, line 15 following the word: "Federal" by inserting the word: "Election", and

Further amend Section 3, page 8, line 16 by striking the word: "Communications", and

Further amend Section 3, page 9, line 25 by striking the words: "secretary of state" and inserting in lieu thereof the word: "commissioner", and

Further amend Section 3, page 10, line 6 by striking the words: "secretary of state" and inserting in lieu thereof the word: "commissioner", and

Further amend Section 4, page 10, line 14 following the words: "act in" by striking the word: "an" and inserting in lieu thereof the words: "a checking", and

Further amend Section 4, page 10, line 19 following the word: "shall" by striking the remainder of the section and inserting in lieu thereof the following material: "be prepared by the campaign treasurer at the time the deposit is made. This statement along with the receipt form for cash contributions deposited at the same time and a deposit slip for the deposit shall be kept by the treasurer as a part of his records. The statements shall be prepared on a form prescribed by the commissioner, and every statement shall be certified as true and correct by the campaign treasurer or deputy who prepares it.", and

Further amend Section 5, page 11, line 17 by striking the words and punctuation: "secretary of state, attorney general" and inserting in lieu thereof the word: "commissioner", and

Further amend Section 6, page 13, line 1 following the words: "on the" by inserting the word: "fourth", and

Further amend Section 6, page 13, line 18 by striking the words: "secretary of state" and inserting in lieu thereof the word: "commissioner", and

Further amend Section 6, page 16 following line 10 by inserting the following new material: "(m) copies of statements of deposits, cash contributions receipts, and deposit slips required to be kept by section 4.", and

Further amend section 6, page 16, line 17 by striking the words: "secretary of state" and inserting in lieu thereof the word: "commissioner", and

Further amend Section 8, page 20, line 22 following the material: "(\$10)." by striking the remainder of the section and inserting in lieu thereof the following material: "One copy of the form shall be kept by the campaign treasurer as required by section 4 and one copy filed with reports as required by section 6.", and

Further amend Section 9, page 21, line 19 by striking Subsections (1), (2), and (3) and inserting in lieu thereof the following material:

"(1) All expenditures shall be made by a check on the account established pursuant to section 4 of this act. The check shall be signed by the campaign treasurer or deputy campaign treasurer authorized to make expenditures in accordance with this act.

(2) Records shall be kept by the campaign treasurer or deputy in a manner prescribed by the commissioner sufficient to indicate for each check written on the campaign fund account the exact nature, amount, or extent of goods or services to be rendered in consideration of the funds authorized to be transferred by the check and to what extent the check is in partial or full payment for such goods or services rendered.

(3) No campaign treasurer or deputy campaign treasurer shall write a check on a campaign fund account when he knows payment of that check would cause the expenditures limit provided by this act to be exceeded.", and

Further amend Section 12, page 26, line 3 following the figures and punctuation: "12." by inserting the following material: "Offer to appoint to public office prohibited.", and

Further amend Section 13, page 26, line 9 following the figures and punctuation: "13." by inserting the following material: "Interference with public meetings prohibited.", and

Further amend Section 14, page 26, line 15 following the figures and punctuation: "14." by inserting the following material: "Betting on elections prohibited.", and

Further amend following Section 14, page 26, following line 20, by inserting the following new section and renumbering the remaining sections:

"Section 15. Unions and corporations. Any union or combination of unions and any corporation or combination of corporations may form or establish auxiliary organizations of a political nature under their aegis for the promotion of issues or assistance to candidates of their choice.

(1) The salaries of the officials of any such auxiliary political organizations may be paid from union or corporate funds.

(2) Officials of such auxiliary political organizations may solicit their union membership or their corporate shareholders for voluntary contributions for use in political campaigns or the promotion of issues.

(3) All contributions to such auxiliary political organizations shall be reported to the commissioner on the required dates by full name and full address of donor and amount donated. And along with the donation each donor must sign a statement that the donation is voluntary, that it is from his own private funds, and that he is not acting as a conduit for funds from any other source.

(4) Full and detailed reports of the spending of such auxiliary political organizations shall be reported to the commission on the required dates, and these reports must continue until all funds are accounted for.

(5) No union funds and no corporate funds may be used by these auxiliary political organizations except as provided in subsection (1) above.

(6) The commission shall have power to stop through court action if necessary, any unreasonable proliferation of such auxiliary political organizations obviously formed to circumvent the intent of this act.", and

Further amend following Section 15, page 27, following line 20, by inserting the following new section and renumbering the remaining sections:

"Section 16. Limitation on contributions. (1) Aggregate contributions to a candidate and committees organized on his behalf by any person other than the candidate and his immediate family are limited as follows:

(a) For a candidate to be elected for office in a statewide election not to exceed one thousand dollars (\$1,000);

(b) For a candidate for representative to congress of the United States, not to exceed one thousand dollars (\$1,000);

(c) For a candidate for state or local office to be elected in an electoral district in one or more counties other than statewide not to exceed one hundred dollars (\$100).

(2) Aggregate contributions to a candidate and committees organized on his behalf by the candidate and his immediate family are limited as follows:

(a) For a candidate to be elected for office in a statewide election not to exceed twenty percent (20%) of the total limit on expenditures by or on behalf of the candidate as provided by this act;

(b) For a candidate for representative to congress of the United States, not to exceed twenty percent (20%) of the total limit on expenditures by or on behalf of the candidate provided by this act;

(c) For a candidate for state or local office to be elected in an electoral district in one or more counties, not to exceed the total limit on expenditures by or on behalf of the candidate as provided by this act.", and

Further amend Section 16, page 28, line 4 by striking the words: "the office of governor" and inserting in lieu thereof the words: "a candidate to be elected for office in a statewide election", and

Further amend Section 16, page 28, line 5 following the words "funds by" by inserting the words: "on behalf of", and

Further amend Section 16, page 28, following line 14, by inserting the following material: "(c) For the purpose of this section, candidates filing together for the offices of governor and lieutenant governor are considered one candidate.", and

Further amend Section 16, page 28, following line 14 by inserting the following new subsection and renumbering the remaining subsections: "(2) For a candidate for representative to congress of the United States the maximum expenditure of funds by or on behalf of a candidate shall not exceed sixty percent (60%) of the maximum expenditure allowable for statewide office by subsection (1) of this section.", and

Further amend Section 16, page 28, line 17 by striking the word: "each" and inserting in lieu thereof the words: "or on behalf of any", and

Further amend Section 16, page 28, line 18 following the word: "election" by striking the remainder of subsection (2)(a) and inserting in lieu thereof the following material: ": for state senator, not to exceed two thousand five hundred dollars (\$2,500); and for state representative not to exceed one thousand five hundred dollars (\$1,500);", and

Further amend Section 16, page 28, line 21 following the word: "election" by striking the remainder of subsection (2)(b) and inserting in lieu thereof the following material: ": for state senator, not to exceed one thousand five hundred dollars (\$1,500); and for state representative not to exceed one thousand dollars (\$1,000)", and

Further amend Section 16, page 28, line 24 following the word: "For" by inserting

the words: "all other state officers or office elected in more than one county and any", and

Further amend Section 16, page 29, line 3 following the material: "(4)" by striking the remainder of line 3 and all of lines 4, 5, and 6, and

Further amend Section 17, page 29, line 20 by striking the words and punctuation: "commissioner—office" and inserting in lieu thereof the word: "commission", and

Further amend Section 17, page 29, line 21 following the word: "qualifications" by inserting the following material: ", —appointment of commissioner", and

Further amend Section 17, page 29, line 22 by striking the words: "position of commissioner" and inserting in lieu thereof the word: "commission", and

Further amend Section 17, page 29, line 23 by striking the remainder of subsection (1) and inserting in lieu thereof the following material: "which is appointed as follows:

The president of the senate, the senate majority leader, the senate minority leader, the senate minority whip, the speaker of the house, the house majority leader, the house minority leader, and the house minority whip shall each appoint one member of the commission. These eight members shall select a retired district court judge, if they can agree on one who is able and willing to serve, to be the ninth member, and the chairman of the commission.

If no ninth member can be agreed upon, then the eight members shall agree upon some other Montanan of stature and political independence, and if agreement still cannot be reached then the eight members shall select the ninth member by lot from among their own nominees.", and

Further amend Section 17, page 30, following line 6 by inserting the following new subsection and renumbering the remaining subsections:

"(2) The members of the commission shall serve two (2) year terms beginning in February of even numbered years. The commission shall hire a staff director to be known as the commissioner who shall have the qualifications provided by this section. The commissioner shall serve at the pleasure of the commission.", and

Further amend Section 17, page 30, line 12 by striking all of subsections (3), (4), and (5) and renumbering the remaining sections, and

Further amend section 17, page 31, line 3 by striking the words: "office of the commissioner" and inserting in lieu thereof the word: "commission", and

Further amend Section 17, page 31, line 15 by striking the words: "office of the commissioner" and inserting in lieu thereof the word: "commission", and

Further amend Section 17, page 31, line 17 by striking the word: "commissioner" and inserting in lieu thereof the word: "commission", and

Further amend Section 17, page 31, line 19 by striking the word: "commissioner" and inserting in lieu thereof the word: "commission", and

Further amend Section 17, page 31, line 20 by striking the word: "commissioner" and inserting in lieu thereof, the word: "commission", and

Further amend Section 18, page 31, line 24 following the word: "commissioner" by inserting the words and punctuation: ", under the direction of the commission.", and

Further amend Section 20, page 35, line 23 following the word: "vacancy" by inserting the word: "created", and

Further amend Section 22, page 36, line 22 following the figures and punctuation: "22." by inserting the following material: "Commissioner — authority to prosecute violations.", and

Further amend Section 22, page 36, line 22 by striking the words: "of elections", and

Further amend Section 24, page 39, line 17 by striking the entire section and renumbering the remaining sections, and

Further amend Section 26, page 41, line 21 following the figures and punctuation: "26." by inserting the following material: "Secretary of state to distribute this act with election laws to candidates and others.", and

Further amend Section 26, page 41, line 22 following the word: "county clerk" by inserting the words: "and recorder", and

Further amend Section 26, page 41, line 23 following the word and punctuation: "clerks," by striking the words and punctuation: "auditors, and recorders," and inserting in lieu thereof the words: "and school district clerks", and

Further amend Section 26, page 41, line 25 by striking the words: "nomination petition or certification" and inserting in lieu thereof the words: "declaration of nomination or certificate", and

Further amend Section 26, page 42, line 4 following the word and punctuation: "offices," by inserting the words: "school district clerk for school district offices", and

Further amend Section 28, page 42, line 20 by striking the words: "its passage and approval" and inserting in lieu thereof the following material: "January 1, 1975. Section 17 and 18 are effective on passage and approval.", and

As amended, do pass.

GREELY, Vice-Chairman

Report adopted.

February 15, 1974

Mr. Speaker: We, your Committee on Labor and Employment Relations, having had under consideration House Bill No. 860, respectfully report as follows: That House Bill No. 860 do not pass.

McKITTRICK, Chairman

February 14, 1974

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 900, respectfully report as follows: That House Bill No. 900 be amended in the title on page 1, line 9 after the word: "contractors" by omitting the word: "and" and inserting in lieu thereof a comma ",", and

Be further amended in the title on page 1, line 10 after the word and punctuation: "board;" by adding the following new material: "providing for exceptions;", and

Be further amended in the title on page 1, line 12 after the word: "fees" by omitting the words: "by wholesalers" and inserting in lieu thereof the following new material: "at the point of initial sale in this state", and

Be further amended on page 2, Section 2, after Subsection (4) on line 23 by adding the following new Subsection (5) to read as follows: "(5) 'Incidental' means happening without regularity or design; casual minor occurrence, especially a minor or casual expense.", and

Be further amended on page 3, Section 3, by omitting Subsection (b) on lines 12 through 14 in their entirety, and

Be further amended on page 3 by changing the subsequent subsections (c) and (d) to (b) and (c), to conform alphabetically, and

Be further amended on page 3, Section 3, Subsection (d), line 17 after the word: "extending" by omitting the words: "their own city water and sewer mains" and inserting in lieu thereof the new material: "public water and sewer mains and connection thereto from two (2) feet outside the buildings", and

Be further amended on page 3, Section 3, by adding a new Subsection (d) to read

as follows: "(d) Plumbing performed on an incidental basis to another pursuit and not the principal work or income.", and

Be further amended on page 4, Section 4, line 3 after the letter (a) by omitting the word: "Two" and inserting in lieu thereof the word: "two", and

Be further amended on page 8, Section 6, line 3 after the word: "of" by striking the words and figures: "ten thousand dollars (\$10,000)", and inserting in lieu thereof the words and figures: "five thousand dollars (\$5,000)", and

Be further amended on page 11, Section 9, line 17 after the word: "board —" by adding the new material: "State plumbing code —", and

Be further amended on page 13, Section 12, Subsection (1), line 24 after the word: "fifteen" by omitting the numbers: "(15)", and

Be further amended on page 13, Section 12, Subsection (1), line 24 after the word: "percent" by inserting the numbers: "(15%)", and

Be further amended on page 14, Section 13, line 18 after the word and punctuation: "department." by adding the new material: "The apprenticeship bureau of the labor standard division of the department of labor and industry shall supply the department upon request with a list of plumber apprentices registered under their rules.", and

As amended, do pass.

LEE, Chairman

February 14, 1974

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 967, respectfully report as follows: That House Bill No. 967 do pass.

LEE, Chairman

Report adopted.

February 15, 1974

Mr. Speaker: We, your Committee on Labor and Employment Relations, having had under consideration House Joint Resolution No. 49, respectfully report as follows: That House Joint Resolution No. 49 do not pass.

McKITTRICK, Chairman

MESSAGES FROM THE OTHER HOUSE

February 15, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was this day read three times and concurred in as amended, title and history agreed to and the said bill is herewith returned to the House for concurrence in Senate amendments:

House Bill No. 725 introduced by Bardanouve

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

February 15, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills and House Joint Resolution were this day read three times and concurred in, title and history agreed to and the said bills and resolution are herewith returned to the House:

House Bill No. 744 introduced by Flynn and Tierney

House Bill No. 770 introduced by Gerke, Bardanouve and Cox

House Bill No. 812 introduced by Baeth

House Bill No. 842 introduced by McKittrick

House Bill No. 987 introduced by Haines, Gerke, et al

House Joint Resolution No. 60 introduced by Holmes, Gunderson, et al

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

MOTIONS

Fasbender moved that House Bill No. 620 be taken from the Committee on Finance and Claims and referred to the Committee on Education.

Motion carried.

Fasbender moved that the Speaker be authorized to appoint a Conference Committee to meet with a like committee from the Senate on Senate Amendments to House Bill No. 654.

Motion carried.

Fasbender moved that the rules be suspended and that a House Joint Resolution be allowed for introduction.

Motion carried unanimously.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following resolution was introduced, read first time and referred to committee:

House Joint Resolution No. 81, introduced by Committee on Rules: A Joint Resolution of the Senate and the House of Representatives of the State of Montana amending the Joint Rules to prescribe fees for legislative proceedings. Referred to Committee on Rules.

Fasbender moved that the House adjourn until 1:00 p.m., February 16, 1974.

Motion carried.

House adjourned.

HAROLD E. GERKE, Speaker

EDWIN A. SMITH, Chief Clerk

THIRTY-SIXTH LEGISLATIVE DAY

Helena, Montana
February 16, 1974

House Chambers
Capitol Building

House convened at 1:00 p.m., Mr. Speaker in the Chair.

Invocation by the Chaplain.

Pledge of Allegiance to the Flag.

Roll call. All members present except Barrett, Fleming, Haines, Hall, Kendall, Rolfe, Watt and Zimmer, all excused.

Quorum present.

Mr. Speaker: We, your Committee on Bills and Journal, having examined the daily journal for the Thirty-fifth Legislative Day, find the same to be correct.

QUILICI, Chairman

REPORTS OF STANDING COMMITTEES

February 16, 1974

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bill No. 645, do hereby report that said bill, together with a copy thereof, signed by the Speaker of the House and President of the Senate, was this day, at the hour of 11:00 o'clock a.m., delivered to the Governor for his approval.

QUILICI, Chairman

February 16, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills and resolution correctly engrossed: House Bill No. 750, House Bill No. 882, House Joint Resolution No. 51.

QUILICI, Chairman

February 15, 1974
reported February 16, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill correctly printed: House Bill No. 1011.

QUILICI, Chairman

February 16, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills and resolution correctly printed: House Bill No. 305, House Bill No. 790, House Bill No. 938, House Bill No. 967, House Bill No. 1007, House Joint Resolution No. 58.

QUILICI, Chairman

February 15, 1974
reported February 16, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill correctly engrossed: House Bill No. 981.

QUILICI, Chairman

February 15, 1974
reported February 16, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill considered correctly engrossed: House Bill No. 1026.

QUILICI, Chairman

February 16, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills considered correctly engrossed: House Bill No. 698, House Bill No. 940, House Bill No. 1081.

QUILICI, Chairman

February 15, 1974

The following bills and resolutions were signed in the office of the Speaker of the House of Representatives on February 15, 1974: House Joint Resolution No. 42, House Joint Resolution No. 44, House Bill No. 779, House Bill No. 951.

EDWIN A. SMITH, Chief Clerk
House of Representatives

February 16, 1974

Mr. Speaker: We, your Committee on Legislative Administration, recommend that the following be employed by the House of Representatives for the Second Regular Session of the 43rd Legislature at the beginning of business February 18, 1974:

Carol Anderson.....	Page
Kate Fleming.....	Page
Valerie Kaae.....	Page
Jack Uhde.....	Page

At the beginning of business February 21, 1974, the following also be employed:

Sherill Fagg.....	Page
Jeff Koehnke.....	Page
Lori Linder.....	Page
Gerre Maillet.....	Page

At the close of business February 16, 1974, the following be terminated:

Janice Carter.....	Page
Paul Guttenberg.....	Page
Connie Torgerson.....	Page
Terri Pival.....	Page

At the close of business February 20, 1974, the following also be terminated:

David Fender.....	Page
Laura Heck.....	Page
Robin Severns.....	Page
Lauri Trott.....	Page

EDLAND, Chairman

Report adopted.

February 15, 1974

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration House Bill No. 187, respectfully report as follows: That House Bill No. 187 do not pass.

GREELY, Vice-Chairman

February 15, 1974

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration House Bill No. 659, respectfully report as follows: That House Bill No. 659 do not pass.

GREELY, Vice-Chairman

February 15, 1974

Mr. Speaker: We, your Committee on Local Government, having had under consideration House Bill No. 741, respectfully report as follows: That House Bill No. 741 do pass.

KOSENA, Chairman

Report adopted.

February 15, 1974

Mr. Speaker: We, your Committee on Local Government, having had under consideration House Bill No. 805, respectfully report as follows: That House Bill No. 805 be amended in the introduced bill by inserting the following material after line 12: (Strike everything after the enacting clause and insert the following:)

"Section 1. Declaration of policy and purpose. It is the purpose of this act to partially implement article XI, sections 3, 5, 6 and 9 of the 1972 Constitution.

Section 2. Definitions. As used in this act:

- (1) 'Study commission' means a local government study commission established pursuant to this act.
- (2) 'Unit of local government' means a county, incorporated city or incorporated town.
- (3) 'Study commissioners' mean the elected or appointed members of the local government study commissions.
- (4) 'Structure' means the entire governmental organization through which a local government unit carries out its duties, functions and responsibilities.
- (5) 'Form' means a specific and formal governmental organization authorized as an optional form of government by law or a specific and formal governmental organization provided in a charter.

Section 3. Establishment of study commissions. (1) Each board of county commissioners shall by resolution adopted prior to April 15, 1974 authorize a county study commission and shall determine by such resolution the number of study commissioners. The number of study commissioners shall be an odd number not less than three (3).

(2) Each municipal council or commission shall by resolution adopted prior to April 15, 1974 authorize a municipal study commission and shall determine by such resolution the number of study commissioners. The number of study commissioners shall be an odd number not less than three (3).

(3) Resolutions authorizing study commissions and determining their size shall not be the subject of referenda or initiative petitions.

(4) Study commissioners shall be elected as provided in section 7. No person shall serve on more than one (1) study commission.

Section 4. Purpose of study commission. It shall be the purpose of the study commission to study the form and power of government and existing procedures for delivery of local government services and compare them with other forms available under the laws of the state of Montana.

Section 5. Power of the study commission. The study commission shall have the power to review the structure and power of each unit of local government represented on the study commission and shall submit one (1) alternative form of government to the qualified electors of each unit of government or combination of units of government. The study commission may submit an optional or alternative form of government provided by law or may draft a self-government charter; however, no such optional or alternative form or charter shall be submitted to the qualified electors until a specific procedure for such submission by the study commission is provided by subsequent law.

Section 6. Cooperation of study commissions. (1) Any two (2) or more study commissions may cooperate in the conduct of their studies. A majority vote by each of the affected study commissions is required for a cooperative study.

(2) Cooperative studies do not preclude each study commission from making a separate report and recommendations.

Section 7. Election of members. Study commissioners shall be elected in the following manner:

(1) Study commissioners shall be elected at the general election, Tuesday, November 5, 1974. There shall be placed on the ballot the names of study commission candidates who shall have been nominated in the manner provided in this section. Candidates shall be listed without party or other designation or slogan, except that candidates for county study commissions shall be listed according to position designation as provided in subsection (2) of this section. The secretary of state shall prescribe the ballot form for study commissions.

(2) Resolutions establishing study commissions shall specify the number of study commissioners to be elected. Municipal study commissioners shall be quali-

fied electors residing within the municipality and shall be elected at large by electors of the municipality. County study commissioners shall be qualified electors and shall be elected at large by electors of the county in the following manner:

(a) three (3) study commission positions shall be filled by persons one of whom resides in each of the three (3) county commissioner districts. The positions shall be designated by district numbers one (1), two (2), and three (3) and the certificate of nomination for each candidate for such positions shall specify the position designation.

(b) if the resolution creating the study commission calls for more than three (3) members, the additional members shall be residents of the county. The additional positions shall be designated 'at large positions' and the certificate of nomination for each candidate for such positions shall specify the position designation.

(3) Nominations for study commissioners shall be made by executing a certificate of nomination.

(4) The certificate shall be in writing and contain:

(a) the name of a candidate for the office to be filled;

(b) his residence address, his occupation, and his business address; and

(c) the position designation if the candidate is running for a county study commission position.

(5) For municipal study commissions, the certificate shall be signed by qualified electors residing within the municipality. For county study commissions, the certificate shall be signed by qualified electors residing within the county. Each elector shall add to his signature his place of residence.

(6) For municipal study commissions, the number of signatures shall total at least one hundred (100) or be at least one percent (1%) of the qualified electors residing within the municipality for the 1973 municipal election, whichever is less. For county study commissions, the number of signatures shall total at least one hundred (100) or be at least one percent (1%) of the qualified electors residing within the county for the 1972 general election, whichever is less.

(7) The certificate of nomination shall be filed on or before August 1 1974. No filing fee is required. The county clerk and recorder, in the case of county study commission candidates, and the municipal clerk, in the case of municipal study commission candidates, shall examine the source and certify to the sufficiency of the signatures thereon.

(8) Each nomination certificate shall, before it may be filed with the county clerk or municipal clerk, contain an acceptance of such nomination in writing, signed by the candidate therein nominated, upon or annexed to such certificate, or if the same person be named in more than one (1) certificate, upon or annexed to one (1) of such certificates. Such acceptance shall certify that the nominee possesses the qualifications prescribed by this act for the office designated in the certificate, that he consents to stand as a candidate at the election and that, if elected, he agrees to take office and serve.

(9) Each nominating certificate shall be verified by an oath or affirmation of one (1) or more of the signers thereof, taken and subscribed before a person qualified under the laws of Montana to administer an oath, to the effect that the petition was signed by each of the signers thereof in his proper handwriting, that the signers, to the best knowledge and belief of the affiant, possess the qualifications prescribed by section 7, subsection (5) of this act and that the certificate is prepared and filed in good faith for the sole purpose of endorsing the person named therein for election as stated in the petition.

(10) Votes cast for municipal and county study commissioners shall be counted, canvassed and returned by county election officials. Except as otherwise provided in this act, each election conducted under this act shall be governed by the election laws of the state of Montana. Any separate ballots or election supplies required for election of municipal study commissioners shall be furnished or paid for by the municipality.

(11) If the number of municipal study commissioners elected at the November 5, 1974 election is not equal to the number of commissioners required to be selected, the mayor with the confirmation of the municipal council or commission shall appoint, on or before November 16, 1974, the additional study commissioner or commissioners. The mayor with the confirmation of the municipal council or commission shall fill any subsequent vacancy on the municipal study commission by appointing a new commissioner. If the number of county study commissioners elected at the November 5, 1974 election is not equal to the number of commissioners required to be selected, the board of county commissioners shall appoint, on or before November 16, 1974, the additional study commissioner or commissioners. The board of county commissioners shall fill any subsequent vacancy on the county study commission by appointing a new commissioner. However, any municipal or county study commissioner appointed under this subsection shall possess the qualifications prescribed by this act for the position to which he is being appointed, and no elected official of the local government unit may be appointed.

Section 8. Term of study commission. All study commissions shall terminate June 30, 1977.

Section 9. Organization of the study commission. (1) Not later than ten (10) days after all study commissioners are elected or appointed the study commissioners shall meet and organize at a time which shall be set by the board of county commissioners, for the county study commission, or the mayor, for the municipal study commission.

(2) At the first meeting of the study commission, the study commission may elect a temporary chairperson who will serve until a permanent chairperson is selected.

(3) Meetings of the study commission shall be held upon the call of the chairperson, vice-chairperson in the absence or inability of the chairperson, or a majority of the study commissioners. The chairperson shall give due notice of the time and place of the meetings of the study commission.

(4) The study commission shall maintain a written record of its proceedings and its finances which shall be open to inspection by any person at the office of the study commission during regular office hours.

(5) A majority of the study commissioners shall constitute a quorum for the transaction of business, but no recommendation of a study commission shall have any legal effect unless adopted by a majority of the whole number of study commissioners.

(6) The study commission shall have the power to adopt rules for its own organization and procedure.

Section 10. Compensation of study commissioners. Study commissioners shall receive no compensation other than for actual and necessary expenses incurred in their official capacity.

Section 11. Open meetings — hearings. All meetings of the study commission shall be open to the public. The study commission shall hold public hearings and community forums and may use other suitable means to disseminate information and stimulate public discussion of its purposes, progress, conclusions, and recommendations.

Section 12. Administrative powers. A study commission shall have the following administrative powers. (1) The study commission may employ and fix the compensation and duties of necessary staff. State, municipal and county officers and employees, at the request of the study commission and with the consent of the employing agency, may be granted leave with or without pay from their agency to serve as consultants to the study commission. If leave with pay is granted they shall receive no other compensation, except mileage and per diem from the study commission.

(2) The study commission may establish advisory boards and committees, including on them persons who are not study commissioners.

(3) The study commission may retain consultants.

(4) The study commission may contract and cooperate with other agencies, public or private, as it considers necessary for the rendition and affording of such services, facilities, studies, and reports to the study commission as will best assist it to carry out the purposes for which the study commission was established. Upon request of the chairperson of the study commission, state agencies, counties, and other units of local government, and the officers and employees thereof, shall furnish the commission such information as may be necessary for carrying out its function which may be available to or procurable by such agencies or units of government.

(5) The study commission may do any and all other things as are consistent with and reasonably required to perform its function under this act.

Section 13. Finances. (1) The governing body of each local government unit shall prepare a budget to cover the expenses of the study commission for the period it is in operation during fiscal year 1975.

(2) The study commission shall prepare a budget for fiscal year 1976 and a budget for fiscal year 1977 and submit them to the local government unit governing body for approval.

(3) Each local government unit shall accept and transfer to its study commission all funds appropriated from the state general fund for the support of the study commission.

(4) If state funds are insufficient to support the work of the study commission, each unit of local government may assess and levy, in addition to all other levies permitted by law, a special tax not to exceed one (1) mill on each dollar of taxable valuation of the taxable property of the unit of local government. This tax may be levied in each of the fiscal years 1975, 1976, and 1977 and may be levied by a municipality in addition to the all-purpose levy provided in sections 84-4701.1, 84-4701.2, 84-4701.3, 84-4701.4, and 84-4701.5, R.C.M. 1947.

(5) All moneys received by the study commission shall be deposited with the county or municipal treasurer. The treasurer is authorized to disburse budgeted funds of the study commission on its order. Unexpended funds of the study commission shall not revert to the general fund of the local government unit at the end of the fiscal year but shall carry over to the study commission's budget for the following fiscal year. Upon termination of the study commission, unexpended funds shall revert to the general fund of the local government unit.

Section 14. Prohibition on other proceedings. From April 15, 1974 until December 31, 1976 no other proceedings other than those commenced by a study commission for the adoption of any charter or form of government available under state law may be commenced.

Section 15. Severability clause. If any part of this act shall be declared invalid or unconstitutional, it shall not affect the validity of any other part of this act.

Section 16. Immediate effective date. This act is effective on its passage and approval.

Section 17. Automatic repealer. This act terminates on June 30, 1977.", and
As amended, do pass.

KOSENSA, Chairman

Report adopted.

February 15, 1974

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 887, respectfully report as follows: That House Bill No. 887 be amended in the title on page 1, lines 7 and 8 by omitting the following material: "; and repealing Section 94-1824", and

Be further amended on page 1, Section 1, line 12 by omitting the material: "94-1824.1" and inserting in lieu thereof the material: "94-6-304.1", and

Be further amended on page 1, Section 1, line 13 by omitting the material: "94-1824.1" and inserting in lieu thereof the material: "94-6-304.1", and

Be further amended on page 1, Section 1, beginning with the word: "It" on line 14 and continuing through the word: "service" on line 21 by omitting all the material contained therein and inserting in lieu thereof the following material: "In a prosecution under section 94-6-304 for theft of telephone, telegraph, or cable television services, the element of deception is established by proof that the defendant obtained such services", and

Be further amended on page 3, Section 2, line 7 by omitting that section in its entirety, and

As amended, do pass.

MEHRENS, Chairman

Report adopted.

February 15, 1974

Mr. Speaker: We, your Committee on Local Government, having had under consideration House Bill No. 904, respectfully report as follows: That House Bill No. 904 do pass.

KOSENSA, Chairman

Report adopted.

February 15, 1974

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration House Bill No. 905, respectfully report as follows: That House Bill No. 905 do not pass.

GREELY, Vice-Chairman

February 15, 1974

Mr. Speaker: We, your Committee on Local Government, having had under consideration House Bill No. 932, respectfully report as follows: That House Bill No. 932 do pass.

KOSENSA, Chairman

Report adopted.

February 15, 1974

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration House Bill No. 935, respectfully report as follows: That House Bill No. 935 do pass.

GREELY, Vice-Chairman

Report adopted.

February 15, 1974

Mr. Speaker: We, your Committee on Local Government, having had under consideration House Bill No. 936, respectfully report as follows: That House Bill No. 936 do not pass.

KOSENSA, Chairman

February 15, 1974

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 972, respectfully report as follows: That House Bill No. 972 do not pass.

MEHRENS, Chairman

February 15, 1974

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 974, respectfully report as follows: That House Bill No. 974 do pass.

MEHRENS, Chairman

Report adopted.

February 15, 1974

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 1015, respectfully report as follows: That House Bill No. 1015 be amended in the title of the introduced bill, on page 1, line 7 by omitting the words: "Liquor Division of the", and

Be further amended on page 1, Section 1, line 21 by omitting the words and punctuation: "liquor division,", and

Be further amended on page 1, Section 1, lines 22 and 23 by omitting the words: "a majority of the board" and inserting in lieu thereof: "the department", and

Be further amended on page 1, Section 1, line 25 by omitting the word: "board" and inserting in lieu thereof the word: "department", and

Be further amended on page 2, Section 1, line 2 by omitting the word: "board" and inserting in lieu thereof the word: "department", and

Be further amended on page 4, Section 1, lines 6, 8, 10, 11 and 15 by omitting in each line the word: "board" and inserting in lieu thereof the word: "department", and

Be further amended on page 5, Section 1, lines 2 and 9 by omitting in each line the word: "board" and inserting in lieu thereof the word: "department", and

Be further amended on page 5, Section 1, line 11 by omitting the words: "liquor control board" and inserting in lieu thereof the word: "department", and

Be further amended on page 5, Section 1, lines 20 and 23 by omitting in each line the word: "board" and inserting in lieu thereof the word: "department", and

Be further amended on page 6, Section 1, lines 2 and 4 by omitting in each line the word: "board" and inserting in lieu thereof the word: "department", and

Be further amended on page 7, Section 1, lines 6, 11, 19, 23 and 24 by omitting in each line the word: "board" and inserting in lieu thereof the word: "department", and

Be further amended on page 8, Section 1, lines 5, 6, 9, 10, 12, 14, 16, 18 and 20 by omitting in each line the word: "board" and inserting in lieu thereof the word: "department", and

Be further amended on page 9, Section 1, lines 3 and 7 by omitting in each line the word: "board" and inserting in lieu thereof the word: "department", and

Be further amended on page 9, Section 1, line 19 before the word: "on" by omitting the word: "board" and inserting in lieu thereof the word: "department", and

Be further amended on page 9, Section 1, line 19 before the word: "has" by omitting the word: "board" and inserting in lieu thereof the word: "department", and

As amended, do pass.

MEHRENS, Chairman

Report adopted.

February 15, 1974

Mr. Speaker: We, your Committee on Local Government, having had under consideration House Bill No. 1050, respectfully report as follows: That House Bill No. 1050 do pass.

KOSENA, Chairman

Report adopted.

February 15, 1974

Mr. Speaker: We, your Committee on Local Government, having had under consideration House Bill No. 1096, respectfully report as follows: That House Bill No. 1096 do not pass.

KOSENA, Chairman

February 15, 1974

Mr. Speaker: We, your Committee on Local Government, having had under consideration Senate Bill No. 523, respectfully report as follows: That Senate Bill No. 523 be amended on page 1, third reading bill, by omitting the following material contained in lines 13, 14 and 15: "may be ordered by council approval of the department of intergovernmental relations.", and

As amended, be concurred in.

KOSENA, Chairman

Report adopted.

February 15, 1974

Mr. Speaker: We, your Committee on Local Government, having had under consideration Senate Bill No. 537, respectfully report as follows: That Senate Bill No. 537 be amended on page 1, third reading bill, after the word: "legislature" by inserting: "July 1, 1974", and

As amended, be concurred in.

KOSENA, Chairman

Report adopted.

February 15, 1974

Mr. Speaker: We, your Committee on Local Government, having had under consideration Senate Bill No. 540, respectfully report as follows: That Senate Bill No. 540 be concurred in.

KOSENA, Chairman

Report adopted.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 860 was adopted by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Baucus, Bennetts, Bradley, Brand, Burnett, Campbell, Castles, Colberg, Cotton, Cox, Driscoll, Edland, Ellerd, Fagg, Fasbender, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Jacobsen, Johnstøn, Jones, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lynch, McKittrick, Mann, Manuel, Marbut, Mehrens, Menahan, Murphy, Norman, Prevost, Quilici, Roberts, Schepens, Seifert, Selstad, Shelden, Staigmiller, Stephens, Stoltz, Tierney, Towe, Ulmer, Warfield, Yardley, Mr. Speaker. Total 74.

Noes: Bell, Hager, Marks, Mercer, Olson, Smith, Walborn. Total 7.

Excused: Barrett, Fleming, Haines, Hall, Kendall, Rolfe, Watt, Zimmer. Total 8.

Absent or not voting: Brown, Clemow, East, Hubing, Huennekens, Lundgren, Regan, Schye, Swanberg, Turman, Turner. Total 11.

In accordance with the 24 hour rule, the adverse committee report on House Joint Resolution No. 49 was adopted by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Bardanouve, Baucus, Bennetts, Bradley,

Brand, Brown, Clemow, Colberg, Cotton, Driscoll, East, Edland, Ellerd, Fagg, Flynn, Forsgren, Glennen, Greely, Gunderson, Hageman, Hager, Halvorson, H. Harper, Healy, Hodges, Holmes, Holtz, Jacobsen, Johnston, Jones, Kessner, Kimble, Kosena, Laas, Lee, Lien, Lombardi, Lucas, Lund, Lundgren, McKittrick, Mann, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Quilici, Regan, Roberts, Schepens, Seifert, Selstad, Staigmiller, Stephens, Swanberg, Tierney, Turner, Ulmer, Yardley, Mr. Speaker. Total 67.

Noes: Baeth, Bell, Burnett, Cox, Fasbender, Galt, R. Harper, Kolstad, Kvaalen, Lockrem, Lynch, Manuel, Prevost, Shelden, Smith, Towe, Walborn, Warfield. Total 18.

Excused: Barrett, Fleming, Haines, Hall, Kendall, Rolfe, Watt, Zimmer. Total 8.

Absent or not voting: Campbell, Castles, Hubing, Huennekens, Schye, Stoltz, Turman. Total 7.

MESSAGES FROM THE GOVERNOR

February 16, 1974

Honorable Harold Gerke
Speaker of the House of Representatives
Capitol
Helena, Montana

Dear Mr. Speaker:

I have the honor to inform you that I have this day approved House Bill No. 762.

Sincerely,

THOMAS L. JUDGE
Governor

cc: Honorable Gordon McOmber

MESSAGES FROM THE OTHER HOUSE

February 15, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day read three several times, and passed, title and history agreed to, and the bills are herewith transmitted to the House for concurrence:

Senate Bill No. 560 introduced by Harrison

Senate Bill No. 674 introduced by Carl

Senate Bill No. 685 introduced by Lowe, Bertsche, et al

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

MOTIONS

Tierney moved that House Bill No. 962 be taken from Second Reading and re-referred to the Committee on Taxation.

Motion carried.

Yardley moved that the rules be suspended and that a House Joint Resolution be allowed for introduction.

Motion carried unanimously.

Fasbender moved that the Speaker be authorized to appoint a Conference Committee to meet with a like committee from the Senate on House Amendments to Senate Bill No. 669.

Motion carried.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following bills were introduced, read first time and referred to committees:

Senate Bill No. 560, introduced by Harrison: A bill for an act entitled: "An act eliminating limits on the amount for which any individual may be insured in group life insurance policies; and repealing Section 40-3908, R.C.M. 1947." Referred to Committee on Business and Industry.

Senate Bill No. 674, introduced by Carl: A bill for an act entitled: "An act amending Section 82-4203, R.C.M. 1947, removing the requirement of notice and hearing when an agency adopts as a rule a description of its organization." Referred to Committee on State Administration.

Senate Bill No. 685, introduced by Lowe, Bertsche, Drake, Cochrane: A bill for an act entitled: "An act authorizing the Department of Administration to enter into rental contracts with option to purchase for buildings to be used by the state; amending Section 82-1918, R.C.M. 1947, and providing an effective date." Referred to Committee on State Administration.

House Resolution No. 56, introduced by H. Harper, Bennetts, R. Harper, McKittrick, Brown, Hager, Holmes: A Resolution of the House of Representatives of the State of Montana requesting the Governor to proclaim April 30, 1974 as a National Day for Humiliation, Fasting and Prayer. Referred to Committee on Constitution, Elections and Federal Relations.

House Bill No. 1118, introduced by Marks, Bell, Campbell, H. Harper: A bill for an act entitled: "An act to appropriate money for capital projects for the biennium ending June 30, 1975; and providing for other matters relating to the appropriations." Referred to Committee on Finance and Claims.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Fasbender moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading under the rules of the previous sitting. Motion carried.

Seifert in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

February 16, 1974

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That House Bill No. 448 do pass. (86-3)

That House Bill No. 474 be amended in Section 1, page 1, line 23 of the second reading bill by striking the following words: "and local conservation district office" (75-7), and

Campbell now excused.

Be further amended in Section 3, Subsection (3), page 6, lines 18 through 17 by striking all of the capitalized words and reinserting the stricken words contained on lines 1 through 8 on page 6 of said bill, except for the words and figures: "three (3)" on line 4 which shall remain stricken (61-29), and

Further amend Section 3, Subsection 3 by striking in line 19 the words: "and record" and in lines 20 and 21 strike the underlined words (80-6), and

Further amend Section 6, page 10, line 6 by striking the words: "with the concurrence of the arbitration panel" (83-3), and

Further amend Section 6, page 10, line 8 after the word: "this" by adding the following new language: "and to the extent a procedure set forth in this act is specifically contrary to or modifies the Montana Administrative Procedures Act, the said act shall not apply," (75-0), and

As amended, do pass. (62-34)

That House Bill No. 607 do pass. (71-0)

That House Bill No. 615 be passed for the day.

That House Bill No. 665 do pass. (71-18)

That House Bill No. 690 be passed for the day.

That House Bill No. 714 be amended in the title of the introduced bill, page 1, line 7 by striking the word: "approval" and inserting in lieu thereof the word: "consultation" (67-15), and

Further amend Section 1, page 1, line 17 by striking the word: "approved" and inserting in lieu thereof the words: "done with consultation with", and

Further amend Section 1, page 1, line 18 by striking the initial word: "by", and

Further amend Section 1, page 1, line 18 by striking the word: "by" following the word: "or" and inserting in lieu thereof the word: "with" (63-15), and

As amended, do not pass. (50-41)

That House Bill No. 791 be amended in Section 2, Subsection (1), page 1, line 24 of the introduced bill by omitting the words and figures: "one hundred dollars (\$100)" and inserting in lieu thereof the words and figures: "fifty dollars (\$50), and

Further amend Section 2, Subsection (2), page 2, line 1 of the introduced bill by omitting the words: "the head of a household", and

Further amend Section 2, Subsection (2), page 2, line 4 of the introduced bill by omitting the words and figure: "two hundred dollars (\$200)" and inserting in lieu thereof: "one hundred dollars (\$100)" (56-17), and

As amended, do not pass. (57-39)

As a substitute motion, Lockrem moved that House Bill No. 791 do pass. A roll call vote was requested by Lockrem with the Ayes and Nays spread on the Journal. Sufficient seconds arose and the motion failed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Barrett, Bell, Burnett, Campbell, Castles, Clemow, Cox, East, Ellerd, Forsgren, Galt, Glennen, Hager, Haines, H. Harper, Holtz, Hubing, Johnston, Jones, Kolstad, Kvaalen, Lockrem, Lucas, Lund, Lundgren, Mann, Marks, Mercer, Olson, Rolfe, Schye, Seifert, Selstad, Smith, Tierney, Turner, Ulmer, Walborn, Warfield. Total 42.

Noes: Baeth, Bardanouve, Baucus, Bennetts, Bradley, Brand, Brown, Colberg, Cotton, Driscoll, Edland, Fagg, Fasbender, Fleming, Flynn, Gerke, Greely, Gunderson, Hageman, Halvorson, R. Harper, Healy, Hodges, Holmes, Huennekens, Jacobsen, Kendall, Kessner, Kimble, Kosena, Laas, Lee, Lien, Lombardi, Lynch, McKittrick, Manuel, Marbut, Mehrens, Menahan, Murphy, Norman, Prevost, Quilici, Regan, Roberts, Schepens, Shelden, Staigmiller, Stephens, Stoltz, Swanberg, Towe, Watt, Yardley, Zimmer. Total 56.

Paired: Barrett, Burnett, Campbell, Cox, Haines, Mann, Rolfe, Aye; Fasbender, Fleming, Flynn, Kendall, Lynch, Watt, Zimmer, Nay.

Excused: Hall. Total 1.

Absent or not voting: Turman. Total 1.

That House Bill No. 865 do not pass. (48-42)

Campbell present at this time.

Burnett excused at this time.

That House Bill No. 895 do pass. (65-16)

Aageson excused at this time.

That House Bill No. 926 do pass. (50-30)

That House Bill No. 991 be amended in Section 1, page 1, line 14 by striking the words: "the surviving spouse" and inserting in lieu thereof the word: "unmarried" (73-0), and

Further amend the title on page 1, line 7 by adding the following language: "and providing an effective date." after the word: "spouse" (72-0), and

As amended, do pass. (79-0)

That the committee rise and report.

SEIFERT, Chairman

Report adopted.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 823 was passed by the following vote:

Ayes: Baeth, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Cotton, Driscoll, Edland, Fagg, Glennen, Greely, Gunderson, Hageman, Hager, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Huennekens, Jacobsen, Johnston, Kimble, Kolstad, Kosena, Laas, Lee, Lien, Lombardi, Lund, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Norman, Quilici, Regan, Roberts, Schepens, Shelden, Staigmilller, Stephens, Stoltz, Swanberg, Tierney, Towe, Warfield, Yardley, Mr. Speaker. Total 59.

Noes: Aageson, Bardanouve, Colberg, Cox, East, Ellerd, Forsgren, Galt, Hubing, Kessner, Kvaalen, Lockrem, Lundgren, Mercer, Olson, Prevost, Schye, Seifert, Selstad, Smith, Ulmer, Walborn. Total 22.

Paired: Kolstad, Aye; Aageson, Nay.

Excused: Barrett, Burnett, Fleming, Haines, Hall, Kendall, Rolfe, Watt, Zimmer. Total 9.

Absent or not voting: Ainsworth, Asbjornson, Clemow, Fasbender, Flynn, Jones, Lucas, Mann, Turman, Turner. Total 10.

House Bill No. 846 was passed by the following vote:

Ayes: Aageson, Ainsworth, Baeth, Baucus, Bell, Bradley, Brown, Campbell, Castles, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fasbender, Forsgren, Glennen, Greely, Hageman, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Jones, Kimble, Kosena, Kvaalen, Laas, Lee, Lien, Lombardi, Lucas, Lund, Lundgren, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Quilici, Regan, Roberts, Schye, Shelden, Staigmilller, Stoltz, Swanberg, Towe, Ulmer, Yardley, Mr. Speaker. Total 60.

Noes: Bardanouve, Bennetts, Brand, Colberg, Fagg, Galt, Gunderson, Hager, Johnston, Kessner, Kolstad, Lockrem, Lynch, Mercer, Norman, Olson, Prevost, Rolfe, Schepens, Seifert, Selstad, Stephens, Tierney, Walborn, Warfield. Total 25.

Paired: Aageson, Kvaalen, Aye; Kolstad, Rolfe, Nay.

Excused: Barrett, Burnett, Fleming, Haines, Hall, Kendall, Watt, Zimmer. Total 8.

Absent or not voting: Asbjornson, Clemow, Flynn, Mann, Smith, Turman, Turner. Total 7.

House Bill No. 866 was passed by the following vote:

Ayes: Ainsworth, Baeth, Bardanouve, Baucus, Bell, Bennetts, Bradley, Brown, Campbell, Castles, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Forsgren, Galt, Glennen, Gunderson, Hageman, Hager, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kessner, Kimble, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Schepens, Schye, Selstad, Shelden, Smith, Staigmilller, Stephens, Stoltz, Swanberg, Tierney, Towe, Ulmer, Walborn, Warfield, Yardley, Mr. Speaker. Total 80.

Noes: Brand, Seifert. Total 2.

Excused: Aageson, Barrett, Burnett, Fleming, Haines, Hall, Kendall, Rolfe, Watt, Zimmer. Total 10.

Absent or not voting: Asbjornson, Clemow, Flynn, Greely, Kolstad, Mann, Turman, Turner. Total 8.

House Bill No. 891 was passed by the following vote:

Ayes: Baeth, Bardanouve, Baucus, Bell, Bradley, Brand, Brown, Campbell, Castles, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Forsgren, Glennen, Greely, Gunderson, Hager, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kimble, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Prevost, Quilici, Regan, Roberts, Schepens, Schye, Shelden, Stephens, Stoltz, Swanberg, Tierney, Towe, Ulmer, Warfield, Yardley, Mr. Speaker. Total 72.

Noes: Galt, Hageman, Kessner, Olson, Seifert, Selstad, Smith, Staigmilller, Walborn. Total 9.

Excused: Aageson, Barrett, Burnett, Fleming, Haines, Hall, Kendall, Rolfe, Watt, Zimmer. Total 10.

Absent or not voting: Ainsworth, Asbjornson, Bennetts, Clemow, Flynn, Kolstad, Mann, Turman, Turner. Total 9.

House Bill No. 981 was passed by the following vote:

Ayes: Ainsworth, Baeth, Bardanouve, Baucus, Bell, Bradley, Brand, Brown, Campbell, Castles, Colberg, Cotton, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kimble, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Schepens, Schye, Shelden, Smith, Staigmilller, Stephens, Stoltz, Swanberg, Tierney, Towe, Ulmer, Walborn, Warfield, Yardley, Mr. Speaker. Total 77.

Noes: Hager, Seifert. Total 2.

Excused: Aageson, Barrett, Burnett, Fleming, Haines, Hall, Kendall, Rolfe, Watt, Zimmer. Total 10.

Absent or not voting: Asbjornson, Bennetts, Clemow, Cox, Flynn, Kessner, Kolstad, Mann, Selstad, Turman, Turner. Total 11.

House Bill No. 1,026 was passed by the following vote:

Ayes: Ainsworth, Baeth, Bardanouve, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Colberg, Cotton, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kessner, Kimble, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks,

Mehrens, Menahan, Murphy, Olson, Prevost, Quilici, Regan, Roberts, Schepens, Selstad, Shelden, Staigmilller, Stephens, Stoltz, Swanberg, Tierney, Towe, Ulmer, Walborn, Warfield, Yardley. Total 75.

Noes: Cox, Hager, Mercer, Schye, Seifert, Smith. Total 6.

Excused: Aageson, Barrett, Burnett, Fleming, Haines, Hall, Kendall, Rolfe, Watt, Zimmer. Total 10.

Absent or not voting: Asbjornson, Clemow, Flynn, Kolstad, Mann, Norman, Turman, Turner, Mr. Speaker. Total 9.

House Bill No. 1,082 was passed by the following vote:

Ayes: Ainsworth, Baeth, Bardanouve, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kessner, Kimble, Kosena, Kvaalen, Laas, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Schepens, Schye, Seifert, Shelden, Stephens, Stoltz, Swanberg, Tierney, Towe, Ulmer, Walborn, Warfield, Mr. Speaker. Total 77.

Noes: McKittrick, Selstad. Total 2.

Excused: Aageson, Barrett, Burnett, Fleming, Haines, Hall, Kendall, Rolfe, Watt, Zimmer. Total 10.

Absent or not voting: Asbjornson, Clemow, Flynn, Kolstad, Lee, Mann, Smith, Staigmilller, Turman, Turner, Yardley. Total 11.

House Joint Resolution No. 47 was passed by the following vote:

Ayes: Ainsworth, Baeth, Bardanouve, Baucus, Bell, Bennetts, Bradley, Brand, Campbell, Castles, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kessner, Kimble, Kosena, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lynch, McKittrick, Manuel, Marbut, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Schepens, Schye, Seifert, Shelden, Staigmilller, Stephens, Stoltz, Swanberg, Tierney, Towe, Ulmer, Walborn, Warfield, Yardley, Mr. Speaker. Total 77.

Noes: Kvaalen, Marks, Selstad, Smith. Total 4.

Excused: Aageson, Barrett, Burnett, Fleming, Haines, Hall, Kendall, Rolfe, Watt, Zimmer. Total 10.

Absent or not voting: Asbjornson, Brown, Clemow, Flynn, Kolstad, Lundgren, Mann, Turman, Turner. Total 9.

House Joint Resolution No. 54 was passed by the following vote:

Ayes: Ainsworth, Baeth, Bardanouve, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Forsgren, Glennen, Greely, Gunderson, Hageman, Hager, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Jones, Kimble, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Schepens, Seifert, Shelden, Staigmilller, Stephens, Stoltz, Swanberg, Tierney, Towe, Ulmer, Walborn, Warfield, Yardley, Mr. Speaker. Total 75.

Noes: Holtz, Johnston, Kessner, Selstad, Smith. Total 5.

Excused: Aageson, Barrett, Burnett, Fleming, Haines, Hall, Kendall, Rolfe, Watt, Zimmer. Total 10.

Absent or not voting: Asbjornson, Clemow, Flynn, Galt, Kolstad, Lundgren, Mann, Schye, Turman, Turner. Total 10.

House Joint Resolution No. 62 was passed by the following vote:

Ayes: Ainsworth, Asbjornson, Baeth, Bardanouve, Baucus, Bell, Bennetts, Bradley, Brand, Campbell, Castles, Colberg, Cotton, Driscoll, Edland, Ellerd, Fagg, Fasbender, Forsgren, Glennen, Greely, Gunderson, Hageman, Hager, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Huennekens, Jacobsen, Johnston, Kimble, Kosena, Laas, Lee, Lockrem, Lombardi, Lucas, Lund, Lynch, McKittrick, Manuel, Marbut, Mehrens, Menahan, Mercer, Murphy, Norman, Prevost, Quilici, Regan, Roberts, Schepens, Schye, Seifert, Shelden, Staigmiller, Stoltz, Swanberg, Tierney, Towe, Ulmer, Walborn, Warfield, Yardley, Mr. Speaker. Total 68.

Noes: Cox, East, Galt, Holtz, Hubing, Kessner, Kvaalen, Lien, Marks, Selstad, Stephens. Total 11.

Excused: Ageson, Barrett, Burnett, Fleming, Haines, Hall, Kendall, Rolfe, Watt, Zimmer. Total 10.

Absent or not voting: Brown, Clemow, Flynn, Jones, Kolstad, Lundgren, Mann, Olson, Smith, Turman, Turner. Total 11.

House Joint Resolution No. 79 was passed by the following vote:

Ayes: Ainsworth, Asbjornson, Baeth, Bardanouve, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kessner, Kimble, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Schepens, Seifert, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Ulmer, Walborn, Warfield, Yardley, Mr. Speaker. Total 82.

Noes: None.

Excused: Ageson, Barrett, Burnett, Fleming, Haines, Hall, Kendall, Rolfe, Watt, Zimmer. Total 10.

Absent or not voting: Clemow, Flynn, Kolstad, Mann, Schye, Selstad, Turman, Turner. Total 8.

Senate Bill No. 484 was concurred in by the following vote:

Ayes: Ainsworth, Asbjornson, Baeth, Bardanouve, Baucus, Bell, Bennetts, Bradley, Brown, Campbell, Castles, Cotton, Cox, East, Edland, Ellerd, Fagg, Fasbender, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Jacobsen, Johnston, Jones, Kessner, Kimble, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Ulmer, Walborn, Warfield, Yardley, Mr. Speaker. Total 80.

Noes: Brand, Colberg, Huennekens. Total 3.

Excused: Ageson, Barrett, Burnett, Fleming, Haines, Hall, Kendall, Rolfe, Watt, Zimmer. Total 10.

Absent or not voting: Clemow, Driscoll, Flynn, Kolstad, Mann, Turman, Turner. Total 7.

Senate Bill No. 488 was concurred in by the following vote:

Ayes: Asbjornson, Baeth, Bardanouve, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Cotton, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Forsgren, Glennen, Greely, Gunderson, Hageman, Hager, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Jacobsen, Kessner, Kimble, Kosena, Kvaalen, Laas, Lee, Lien, Lombardi, Lund, Lundgren, Lynch, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost,

Quilici, Regan, Roberts, Schepens, Selstad, Shelden, Staigmilller, Stephens, Stoltz, Swanberg, Tierney, Towe, Ulmer, Warfield, Yardley, Mr. Speaker. Total 70.

Noes: Ainsworth, Colberg, Cox, Huennekens, Johnston, Jones, Lockrem, Lucas, Seifert, Smith, Walborn. Total 11.

Excused: Aageson, Barrett, Burnett, Fleming, Haines, Hall, Kendall, Rolfe, Watt, Zimmer. Total 10.

Absent or not voting: Clemow, Flynn, Galt, Kolstad, McKittrick, Mann, Schye, Turman, Turner. Total 9.

Senate Bill No. 551 was concurred in by the following vote:

Ayes: Ainsworth, Asbjornson, Baeth, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Forsgren, Glennen, Greely, Hageman, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Jacobsen, Johnston, Jones, Kessner, Kimble, Kosena, Kvaalen, Laas, Lee, Lombardi, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Prevost, Quilici, Regan, Roberts, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmilller, Swanberg, Ulmer, Walborn, Warfield, Mr. Speaker. Total 68.

Noes: Bardanouve, Colberg, Fasbender, Gunderson, Huennekens, Lien, Lockrem, Lucas, Stephens, Tierney, Towe. Total 11.

Excused: Aageson, Barrett, Burnett, Fleming, Haines, Hall, Kendall, Rolfe, Watt, Zimmer. Total 10.

Absent or not voting: Clemow, Flynn, Galt, Hager, Kolstad, Mann, Olson, Stoltz, Turman, Turner, Yardley. Total 11.

Senate Bill No. 575 was concurred in by the following vote:

Ayes: Ainsworth, Asbjornson, Baeth, Bardanouve, Baucus, Bell, Bradley, Brand, Campbell, Castles, Cotton, Cox, Driscoll, Edland, Fagg, Fasbender, Forsgren, Glennen, Greely, Gunderson, Hageman, Hager, Halvorson, Healy, Hodges, Holmes, Holtz, Jacobsen, Jones, Kessner, Kimble, Kosena, Kvaalen, Laas, Lee, Lombardi, Lucas, Lund, McKittrick, Manuel, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Prevost, Quilici, Regan, Roberts, Schepens, Seifert, Selstad, Shelden, Staigmilller, Stoltz, Towe, Warfield, Mr. Speaker. Total 59.

Noes: Bennetts, Brown, Colberg, East, Ellerd, H. Harper, R. Harper, Hubing, Huennekens, Johnston, Lien, Lockrem, Lynch, Marbut, Olson, Schye, Smith, Stephens, Swanberg, Tierney, Ulmer, Walborn, Yardley. Total 23.

Excused: Aageson, Barrett, Burnett, Fleming, Haines, Hall, Kendall, Rolfe, Watt, Zimmer. Total 10.

Absent or not voting: Clemow, Flynn, Galt, Kolstad, Lundgren, Mann, Turman, Turner. Total 8.

Senate Bill No. 576 was concurred in by the following vote:

Ayes: Ainsworth, Baeth, Bardanouve, Baucus, Bell, Bennetts, Bradley, Brand, Campbell, Castles, Colberg, Cotton, Cox, Driscoll, Edland, Fagg, Fasbender, Forsgren, Glennen, Gunderson, Hageman, Hager, Halvorson, R. Harper, Healy, Hodges, Holmes, Holtz, Huennekens, Jacobsen, Johnston, Jones, Kessner, Kimble, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lund, Lynch, McKittrick, Manuel, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Prevost, Quilici, Regan, Roberts, Schepens, Seifert, Selstad, Shelden, Staigmilller, Stephens, Stoltz, Towe, Ulmer, Warfield, Mr. Speaker. Total 66.

Noes: Asbjornson, Brown, East, Ellerd, Greely, H. Harper, Hubing, Lucas, Marbut, Olson, Schye, Smith, Swanberg, Tierney, Walborn, Yardley. Total 16.

Excused: Aageson, Barrett, Burnett, Fleming, Haines, Hall, Kendall, Rolfe, Watt, Zimmer. Total 10.

Absent or not voting: Clemow, Flynn, Galt, Kolstad, Lundgren, Mann, Turman, Turner. Total 8.

Senate Bill No. 589 was concurred in by the following vote:

Ayes: Ainsworth, Asbjornson, Baeth, Bardanouve, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Cotton, Driscoll, East, Edland, Fagg, Fasbender, Forsgren, Greely, Gunderson, Hageman, Hager, Halvorson, H. Harper, R. Harper, Healy, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kessner, Kimble, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Schepens, Seifert, Selstad, Shelden, Smith, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Towe, Ulmer, Walborn, Warfield, Yardley, Mr. Speaker. Total 75.

Noes: Colberg, Cox, Ellerd, Glennen, Hodges, Holtz, Lucas, Schye. Total 8.

Excused: Aageson, Barrett, Burnett, Fleming, Haines, Hall, Kendall, Rolfe, Watt, Zimmer. Total 10.

Absent or not voting: Clemow, Flynn, Galt, Kolstad, Mann, Turman, Turner. Total 7.

Senate Bill No. 667 was concurred in by the following vote:

Ayes: Ainsworth, Asbjornson, Bardanouve, Baucus, Bell, Bennetts, Bradley, Campbell, Castles, Cotton, Cox, Driscoll, East, Edland, Fagg, Fasbender, Forsgren, Glennen, Greely, Gunderson, Hageman, Hager, Halvorson, H. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Jacobsen, Jones, Kessner, Kimble, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lund, Lundgren, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Quilici, Regan, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmillier, Stoltz, Ulmer, Walborn, Warfield, Mr. Speaker. Total 66.

Noes: Brand, Colberg, Ellerd, R. Harper, Huennekens, Johnston, Lucas, Lynch, Stephens, Tierney, Towe, Yardley. Total 12.

Excused: Aageson, Barrett, Burnett, Fleming, Haines, Hall, Kendall, Rolfe, Watt, Zimmer. Total 10.

Absent or not voting: Baeth, Brown, Clemow, Flynn, Galt, Kolstad, Mann, Prevost, Roberts, Swanberg, Turman, Turner. Total 12.

Senate Amendments to House Bill No. 787 were concurred in by the following vote:

Ayes: Ainsworth, Bardanouve, Baucus, Bell, Brown, Castles, Cotton, Cox, Driscoll, Edland, Ellerd, Fagg, Fasbender, Forsgren, Glennen, Greely, Gunderson, Hageman, Hager, Halvorson, H. Harper, R. Harper, Healy, Holmes, Holtz, Jacobsen, Johnston, Jones, Kessner, Kimble, Kosena, Kvaalen, Laas, Lee, Lockrem, Lombardi, Lucas, Lundgren, McKittrick, Manuel, Marbut, Mehrens, Menahan, Mercer, Norman, Prevost, Quilici, Regan, Roberts, Schepens, Schye, Seifert, Selstad, Staigmillier, Stephens, Ulmer, Walborn, Warfield, Yardley, Mr. Speaker. Total 60.

Noes: Asbjornson, Baeth, Bennetts, Bradley, Brand, Campbell, Colberg, East, Hodges, Huennekens, Lien, Lund, Lynch, Marks, Murphy, Olson, Shelden, Stoltz, Tierney, Towe. Total 20.

Excused: Aageson, Barrett, Burnett, Fleming, Haines, Hall, Kendall, Rolfe, Watt, Zimmer. Total 10.

Absent or not voting: Clemow, Flynn, Galt, Hubing, Kolstad, Mann, Smith, Swanberg, Turman, Turner. Total 10.

REPORTS OF STANDING COMMITTEES

February 16, 1974

I have examined House Resolution No. 46 introduced by me and find the same to be correct.

HAGER

February 16, 1974

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bill No. 779 and House Bill No. 951, do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day, at the hour of 2:00 o'clock, p.m., delivered to the Governor for his approval.

QUILICI, Chairman

February 16, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly printed: House Bill No. 741, House Bill No. 904, House Bill No. 932, House Bill No. 935, House Bill No. 974, House Bill No. 1050.

QUILICI, Chairman

February 16, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following resolution correctly enrolled: House Resolution No. 46.

QUILICI, Chairman

February 16, 1974

The following resolution will be signed at adjournment on February 16, 1974, in the office of the Speaker of the House of Representatives: House Resolution No. 46.

EDWIN A. SMITH, Chief Clerk
House of Representatives

February 15, 1974

Mr. Speaker: We, your Committee on Labor and Employment Relations, having had under consideration House Bill No. 567, respectfully report as follows: That House Bill No. 567 be amended as follows:

Be amended in the white introduced copy, page 1, line 4, by striking this line in its entirety, and inserting in lieu thereof the following key section numbers: "69-1501 through 69-1505, 69-1507, 69-1508, 69-1510 through 69-1517, 69-1701, 69-1702", and

Further amend the title, page 1, line 6, by striking the words "to amend" and inserting in lieu thereof the word "amending", and

Further amend the title, page 1, line 7, by striking "69-1502, 69-1508 and 69-1512" and inserting in lieu thereof "69-1501 through 69-1505 and 69-1507, 69-1508, 69-1510 through 69-1517", and

Further amend the title, page 1, lines 9 through 12, after the punctuation ";", on line 9, by striking the remainder of the paragraph in its entirety and inserting in lieu thereof "relating to the licensing of engineers for steam boilers and steam machinery; and repealing Sections 69-1506, 69-1509, 69-1701, and 69-1702, R.C.M. 1947.", and

Further amend pages 1 through 5, beginning on line 16 of page 1 by striking these sections in their entirety, and inserting in lieu thereof the following new sections:

"Section 1. Section 69-1501, R.C.M. 1947, is amended to read as follows:

'69-1501. [Advisory committee functions appointment and terms of members traveling expenses rules and regulations state] State boiler inspectors [of boilers, appointment, term and compensation] — special boiler inspectors. [(1) There is hereby created to advise the industrial accident board an advisory committee which shall hereafter be referred to as the committee, consisting of three (3) members who shall be appointed by the governor, one for two (2) years, one for three (3) years and one for four (4) years. At the expiration of their respective terms or when vacancies occur they or their successors identified with the same interest

respectively shall be appointed by the governor for terms of four (4) years each. Of these appointed members one (1) shall be a Montana first class steam licensed operating engineer of boilers employed in that capacity at the time of his appointment, one (1) shall be commissioned by the national board of boilers and pressure vessels inspectors and shall represent the boiler insurance companies licensed to do business in the state, and one (1) shall be a Montana registered professional mechanical engineer. The committee shall elect one (1) of its members as chairman and shall meet whenever required.

The members of the committee shall serve without salary but shall receive actual travel expenses in the same manner as other state officers.

The committee shall act in a technical advisory capacity to the industrial accident board and shall formulate definitions, rules and regulations for the safe construction, installation, operation, inspection and repair of equipment covered by this act. The definitions, rules and regulations so formulated shall follow generally accepted nationwide engineering standards as published by the American society of mechanical engineers.

(2) Appointment, term and compensation of boiler inspectors. The industrial accident board shall appoint state inspectors of boilers and shall prescribe their duties, term of office and fix their compensation.]

In addition to [the] employing state boiler inspectors the [industrial accident board] division of workmen's compensation shall issue to the inspectors of boiler insurance companies authorized to do business in the state, commissions, certificates, or other recognition as special boiler inspectors and [shall] may accept the inspection reports of [such] these special inspectors as equivalent to those of the state inspectors[.]. [provided that each such] Each special inspector shall hold a certificate as boiler inspector issued by the national board of boiler and pressure vessels inspectors. [Such] These special inspectors shall receive no salary or expenses from the state nor shall the state collect inspection fees for inspections made by [such] these special inspectors.'

Section 2. Section 69-1502, R.C.M. 1947, is amended to read as follows:

'69-1502. Qualifications of state boiler inspectors. [No] A person is not eligible to [hold the office of inspector of boilers and steam engines who has not had] be a state boiler inspector unless he has held for at least [ten years of actual experience in the operation of steam engines, steam boilers, and steam machinery, and who has not held for at least three (3) years immediately preceding his appointment a first class stationary engineer's license of the state of Montana, or who is] three (3) years a valid first class engineer's license. A state inspector may not be either directly or indirectly financially interested in the manufacture or sale of boilers or steam machinery, or any patented article [required to be sold] relating thereto.'

Section 3. Section 69-1503, R.C.M. 1947, is amended to read as follows:

'69-1503. Inspection of boilers — boiler installations. (1) [The] A state boiler inspector [of boilers must] or special boiler inspector shall inspect all boilers, and steam generators before [the same] they are used, and all persons who bring into this state, for operation in this state, any boiler [or boilers must] shall notify the [board] division stating the number and kind of boilers, and where they are to be located and operated in this state, and must secure from the [board a] division an inspection certificate [of inspection] or an operating certificate before [said boilers are] the boiler is placed in operation[.]. [except in the case of new boilers, which must be inspected within ninety (90) days after they are put in use,] [and all] All boilers [must] shall be inspected at least once [in] every year, except boilers exempt under [provisions of section] 69-1515. Upon written application, longer inspection intervals may be authorized by the [board] division. Any owner, operator, or user who opens a boiler [or boilers] between inspections for [repair or other reasons must] major repairs shall notify the [board] division of [such] that action and [such] the boiler [or boilers shall] may, at the discretion of the [board] division, be inspected by the state boiler inspector or special boiler inspector before the boiler [or boilers may be] is placed back in operation. [Any] A person [failing] who fails to give notice to the [board as herein provided] division, or who operates [such boilers] a boiler without a certificate from the [board] division, [shall be punished by a fine of not less than one hundred dollars (\$100) nor more than five hundred

dollars (\$500) for each offense, or by imprisonment in the county jail for not less than thirty (30) nor more than ninety (90) days, or by both such fine and imprisonment.] is guilty of a misdemeanor.

(2) When necessary, the state boiler inspector or special boiler inspector shall subject [boilers] a boiler, except those exempted by 69-1515, to hydrostatic pressure, which hydrostatic pressure shall not exceed one hundred fifty percent (150%) of the [steam pressure] maximum allowable working pressure allowed on the [boiler] boiler[, providing there are no such leaks on such boilers which prevent the inspector from applying such hydrostatic pressure. And the inspector must satisfy himself by a thorough interior and exterior examination that the boilers are well made and of good and suitable material; that the openings for the passage of water and steam, respectively and all pipes and tubes exposed to heat, are of the proper dimensions and free from obstructions; that the flues are circular in shape; that the fire line of the furnace is at least two (2) inches below prescribed minimum water line of the boilers; that the arrangements for delivering the feed water are such that the boilers cannot be injured thereby, and that such boilers and the steam connections may be safely employed without danger to life.]

(3) [New boiler installations. No] A boiler which does not conform to the rules [and regulations formulated] adopted by the [committee] division governing new construction and installation shall not be installed and operated in this state [after twelve (12) months from the date upon which the first rules and regulations under this act pertaining to new construction and installation shall have become effective,] unless the boiler is of special design or construction, and therefore is not covered by [the] these rules [and regulations, nor is in any way inconsistent with such rules and regulations], in which case a special installation and operating permit may [at its discretion] be granted by the [committee] division.'

Section 4. Section 69-1504, R.C.M. 1947, is amended to read as follows:

'69-1504. Inspection of boilers — further requirements in making inspection. [(1)] The state boiler inspector or special boiler inspector [must also satisfy himself] shall be satisfied that:

(1) [the] The safety valves are of suitable relieving capacity [ratings], sufficient in number [and area], [and] properly arranged, and [that the safety valves] are properly adjusted so as to allow no greater pressure in the boilers than the amount prescribed by the inspection or operating certificate;

(2) [that there] there are a sufficient number of [gauge] gage cocks and water gage glasses properly inserted to indicate the amount of water, and suitable [gauges] gages that will correctly [record] indicate the operating pressure [of steam]; and,

(3) [adequate and certain] adequate provisions for an ample supply of water to feed the [boilers] boiler at all times, and that suitable means for blowing [out] down are provided, [so as] in order to thoroughly remove mud and sediment from all parts of the [boilers] boiler when [they are] it is under pressure. [of steam, and any renter, user, or] An owner, operator, or user of a boiler, or any person, [or persons] who [tamper] tampers with the safety valve to allow the boiler to carry greater pressure than is allowed by the inspection or operating certificate, [shall be deemed] is guilty of a misdemeanor.

[(2)] (4) Where a boiler is constructed with lap horizontal seams on the [boiler,] dome, or drum, a factor of safety of four and one-half ($4\frac{1}{2}$) shall be used in determining the safe working pressure allowed on [such] the boiler. [But where] Where the [boilers are] boiler is constructed with butt-strap horizontal seams, a factor of safety of four and one-half ($4\frac{1}{2}$) may be used in determining [such] the safe working pressure. If the boiler rests on side [wall] walls on lugs, or is hung by I-beams, or is in any way set up so that the weight of the boiler is pulling against the horizontal seam of rivets, a factor of safety of five (5) [must] shall be used to determine the safe working pressure allowed on the boiler. Where the horizontal lap seams of the boiler are exposed to the fire, a factor of safety of five (5) [must] shall be used to determine the safe working pressure to be allowed on [such] the boiler. On stay bolts, if new, seven thousand five hundred pounds [pressure] per square inch (7,500 PSI) shall be allowed. [If such stay bolts are corroded or defective, the inspector must determine the pressure to be allowed on same.] On braces made

of solid material, eight thousand pounds [pressure] per square inch (8,000 PSI) shall be allowed. On welded braces or braces with only one (1) crow-foot, six thousand pounds [pressure] per square inch (6,000 PSI) shall be allowed. [No cast] Cast iron [shall] may not be used in the construction or reinforcements of any boiler where the pressure allowed on [said] the boiler is more than one hundred sixty pounds per square inch (160 PSI).'

Section 5. Section 69-1505, R.C.M. 1947, is amended to read as follows:

'69-1505. Inspection of boilers — material to be used. [No boiler or steam pipe, nor any of the connections thereto, shall be approved which is made in whole or in part of bad material, or is unsafe from any cause. Nothing herein shall be construed to prevent the use of any boiler or steam generator which may not be constructed of riveted iron or steel plates, when the inspector has satisfactory evidence that such boiler or steam generator is equal in strength to and as safe from explosion as boilers of the best quality, constructed of iron or steel plates.] All materials to be used in the construction of boilers shall be in compliance with the applicable sections of the ASME code.'

Section 6. Section 69-1507, R.C.M. 1947, is amended to read as follows:

'69-1507. Duty of owner to permit inspection — [board] division action — costs and expenses. [It is the duty of the owners, engineers, or managers] An owner, operator, or user of steam or water boilers [to] shall allow the [inspector] division free access to the [same] boilers at reasonable times. [In case] If the owner, [operators] operator, or [manager] user of any boiler is notified by the [inspector] division to have [said] the boiler read for inspection on a certain day, and fails to have [such] the boiler ready for inspection at [such] that time, [the inspector shall notify the board to gain access to said boiler.] [Any person failing to immediately comply with board directed access to said boiler shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than one hundred dollars nor more than five hundred dollars, or by imprisonment in the county jail for not less than two months nor more than six months, or by both such fine and imprisonment] then he is guilty of a misdemeanor. The owner, [engineer or manager] operator, or user of [any] a boiler who has refused the division access [resulting in a board order must] shall pay all [transportation and hotel] expenses of the division inspector who makes the inspection [directed by such order], in addition to the inspection fee provided by law. [It shall be the duty of the] The engineer operating [any] a boiler [or boilers to] shall assist the [inspectors] division in [their examination of the same] the inspection, and point out any defects known to him. [in the boilers or machinery under his charge. Any engineer not complying with this section shall have his license revoked or suspended.] The division shall notify the owner, operator, or user of any defects found and shall recommend repairs necessary to render the boilers safe.'

Section 7. Section 69-1508, R.C.M. 1947, is amended to read as follows:

'69-1508. Licenses required — penalty for operating without license. [No person shall be granted a license to operate steam or water boilers and steam machinery under the provisions of this article, who has not met the qualifications for licensing and found to be competent by examination to perform the duties of an engineer, and received a license so to act. Any] A person who operates [any] a boiler or steam [engine] driven machinery without first obtaining [a] the appropriate license is guilty of a misdemeanor[.]. [and upon conviction shall be punished by a fine of not less than fifty dollars nor more than one hundred dollars, or by imprisonment in the county jail for not more than sixty days, or by both such fine and imprisonment.]'

Section 8. There is a new section to be numbered 69-1509.1, R.C.M. 1947, which reads as follows:

69-1509.1. (1) Classification, licensing and qualifications of engineers. Engineers entrusted with the operation, care and management of steam or water boilers, steam driven machinery, and air compressors shall be divided into the following classes and licensed accordingly:

(a) First-class engineers shall be licensed to operate all classes, pressures, and temperatures of steam and water boilers, all classes of air compressors, and steam driven machinery.

(b) Applicants for a first-class engineer's license shall have no less than three (3) years' experience under an engineer holding a valid first-class engineer's license.

(c) Second-class engineers shall be licensed to operate all classes, pressures, and temperatures of steam boilers and steam driven machinery not to exceed two hundred fifty pounds per square inch (250 PSI) or water boilers not in excess of three hundred seventy-five pounds per square inch (375 PSI) and all classes of air compressors.

(d) Applicants for a second-class engineer's license shall have no less than two (2) years' experience under an engineer holding a valid first-class or second-class engineer's license.

(e) Third-class engineers shall be licensed to operate steam boilers and steam driven machinery operating not in excess of one hundred sixty pounds per square inch (160 PSI) or water boilers operating not in excess of one hundred sixty pounds per square inch (160 PSI) and all classes of air compressors.

(f) Applicants for a third-class engineer's license shall have no less than one (1) year's experience under an engineer holding a valid first, second, or third-class engineer's license.

(g) Low pressure engineers shall be licensed to operate steam boilers not in excess of fifteen pounds per square inch (15 PSI) or water boilers in excess of fifty pounds per square inch (50 PSI).

(h) Applicants for a low pressure engineer's license shall have no less than three (3) months' experience operating boilers and successfully pass a written and oral examination.

(2) Each licensed engineer shall be re-examined by the division every five (5) years during the anniversary month of his license. In addition the division may require a physical examination as part of the re-examination procedure.

Section 9. There is a new section to be numbered 69-1509.2, R.C.M. 1947, which reads as follows:

69-1509.2. Variances and exceptions for licensing. Allowable exceptions or variances to minimum requirements of section 69-1509.1 are as follows:

(1) Applicants for engineer's license in any classification holding a valid license in that classification from another state with licensing requirements equal to or exceeding the minimum requirements of this state and who successfully pass a written examination prescribed by the division shall be granted a license in that classification.

(2) Operating experience in a classification satisfactory to the division, accumulated in the United States military services may be accepted instead of the operating experience required for the licensing of engineers in each of the classifications.

(3) Applicants with training in the actual operation of steam or water boilers and steam driven machinery who have been certified as having satisfactorily completed a prescribed training course from a recognized vocational-technical training school or center or other division approved institution or training program in the classification for which they are applying may at the discretion of the division be credited with a maximum of six (6) months' experience toward first, second, or third-class engineer's license.

(4) The licenses named in section 69-1509.1 do not entitle the holder thereof to operate a traction engine. A person who is entrusted with the care and management of traction engine, or boilers on wheels, is required to pass an examination as to his competency to operate such machinery and to procure a license to be known as a traction license. A traction license does not entitle the holder thereof to operate any other class of steam machinery specified in section 69-1509.1. Applicants for a traction engineer's license shall:

(a) have no less than six (6) months' full-time experience in the operation of steam traction engines;

- (b) successfully pass a written examination prescribed by the division;
- (c) be eighteen (18) years of age or older.

The division may waive the experience requirement for operators of traction engines that are maintained and operated as a hobby for the restoration and show purposes of antique equipment.

Section 10. There is a new section to be numbered 69-1509.3, R.C.M. 1947, which reads as follows:

69-1509.3. Steam driven machinery — licensing. (1) First-class steam driven machinery engineers shall be licensed to operate all classes of steam driven machinery and air compressors.

(2) Applicants for a first-class steam driven machinery engineer's license shall have no less than one (1) year's experience under an engineer holding a valid first-class engineer or first-class steam driven machinery license.

Section 11. Section 69-1510, R.C.M. 1947, is amended to read as follows:

'69-1510. Complaints and suspension or revocation of license. Whenever a complaint is made against an engineer holding a license that he, through negligence, want of skill, or inattention to duty, permitted [his boiler(s)] a boiler, steam driven machinery, or air compressor under his control to [burn or otherwise become in bad condition] become unsafe, [or that he has been found intoxicated or under the influence of drugs while on duty, it is the duty of] the [board to] division shall make a thorough investigation of the charge[.]. [and upon satisfactory proof of such charge to revoke the license of said engineer.] If the division finds that the person has allowed a boiler, steam driven machinery, or air compressor under his control to become unsafe, the division may, after giving the person notice and an opportunity for hearing, revoke or suspend his license.'

Section 12. Section 69-1511, R.C.M. 1947, is amended to read as follows:

'69-1511. Certificate of inspection — penalty for wrongfully issuing certificate of inspection or licenses as misdemeanor. [In making an inspection of the boilers and machinery herein provided for, the inspectors may act jointly or separately, but the inspector or assistant inspector making such inspection must in all cases certify the same under the seal of the inspector of boilers and safety.] [Any inspector or assistant inspector] A division employee who willfully certifies [regarding] any [boilers] boiler or [their] boiler attachments, or grants a license to [any] a person to act as engineer contrary to the provisions of this [article] act, is guilty of a misdemeanor. [All certificates of inspection, operating certificates and engineer's licenses must be displayed in a conspicuous place in the boiler room.]'

Section 13. Section 69-1512, R.C.M. 1947, is amended to read as follows:

'69-1512. Fees for inspection or examination. (1) All fees for inspection are to be paid to the [industrial accident board] division in accordance with the following schedule based on safety valve setting:

- (a) Boilers with pressure [under] thirty (30) [pounds per square inch] (PSI) and under \$10
- (b) Boilers with pressure [from] over thirty (30) [pounds] (PSI) to and including one hundred (100) [pounds per square inch] (PSI) \$15
- (c) Boilers with pressure [from] over one hundred (100) [pounds] (PSI) to and including three hundred (300) [pounds per square inch] (PSI) \$20
- (d) Boilers with pressure over three hundred (300) [pounds per square inch] (PSI) \$30
- (e) Miniature boilers [with pressure not in excess of one hundred (100) pounds per square inch] \$10
- (f) Steam traction engines \$5
- (g) Operating certificate \$4

(2) All certificates of inspection, operating certificates, and engineer licenses shall be displayed in a conspicuous place in the boiler room.

(3) In case of the failure of the owner, [manager or person] operator, or user in charge of any boiler to pay [such] the fee to the [industrial accident board] division, the [board] division shall initiate the necessary legal action to collect [said] the fee. [Failure of any] If a person fails to immediately abide with the results of [such board] the division action he shall be deemed guilty of a misdemeanor and punished as provided by section 69-1507.

[(2) Whenever, upon request of the owner or operator of any boiler it is necessary for the inspector to make a special trip for the inspection of the boiler, the mileage and per diem allowed by law, in addition to the fees herein prescribed, shall be charged and collected by the industrial accident board.]

[(3)] (4) Applicants for an engineer's license shall pay fees according to the class of license for which application is made, as specified in the following schedule:

(a) First class	\$30
(b) Second class	\$20
(c) Third class	\$12
(d) Low pressure	\$ 8
(e) Traction	\$12
(f) Renewal of license	\$ 4
(g) Replacement of lost [certificate] license	\$ 2
(h) First-class steam driven machinery	\$15

[(4)] (5) Each application shall be accompanied by a payment equal to fifty percent (50%) of the license fee for which application is being made[;]. [said] The payment shall be forfeited in the event the applicant fails to appear for the examination at the scheduled time or fails to pass the examination.

In case of the failure of any applicant to [successfully] pass an examination, [forty-five (45)] thirty (30) days must elapse before he can again be examined for the license.'

Section 14. Section 69-1513, R.C.M. 1947, is amended to read as follows:

'69-1513. Review of license rejection. If any person who has applied for a license under [the provisions of] this [article] act, and has been rejected, feels aggrieved, he may at any time after [the lapse of] ten (10) days, and within forty-five (45) days after the date of his rejection, in writing set forth the causes of his grievance and request a [board] division review. [Such] The request [must] shall be addressed to the [board] division and shall be signed by the rejected applicant. Within [two] ten (10) days after receiving [such] the request, [it is] the [duty of the board to] division shall notify the applicant in writing that on a certain day, which shall not be less than [five] twenty (20) nor more than [thirty (30)] forty-five (45) days after the date the [board] division receives [said] the written request, the [committee] division shall review and evaluate the application. The applicant may appear in person [at said review if he so desires]. At least [two] ten (10) days before the day set for the review the applicant [may] shall designate in writing to the [board] division the name of an engineer holding a valid license of equal or higher grade [with] than the one applied for, and [such] the engineer may present himself in behalf of the applicant upon the day and at the hour fixed for the review.'

Section 15. Section 69-1514, R.C.M. 1947, is amended to read as follows:

'69-1514. [Board] Division decision. [After said] If after the review is completed[, and if a majority of the committee] the division decides that [such] the applicant is entitled to the license he has applied for, the [board] division shall without delay issue a license accordingly[.]. [but if a majority of the committee] However, if the division rejects the applicant, it is a final rejection, and [he must] the division shall not [be granted] grant another examination [for the space of

forty-five (45)] within thirty (30) days after [such] the last rejection, when [he] the applicant may again apply as provided by section 69-1512.'

Section 16. Section 69-1515, R.C.M. 1947, is amended to read as follows:

'69-1515. Boilers exempted from provisions — duty of owner of traction engine — notice of purchase of boiler. (1) This act [shall] does not apply to boilers under federal control[.], except the division may, if requested, perform courtesy inspections of such boilers. The provisions of this act requiring inspections, inspection fees, and certificates [shall] do not apply to [steam heating] boilers [operated at not over fifteen (15) pounds per square inch gauge pressure in private residences or apartments of six (6) or less families or to hot water heating or supply boilers operated at not over fifty (50) pounds per square inch gauge pressure and temperatures not over two hundred fifty degrees Fahrenheit (250 F) when] in private residences. [or apartments of six (6) or less families.] The provisions of this act requiring licensed operators do not apply to any hot water boiler of seven hundred fifty thousand (750,000) BTU input or less. [Locomotives, commonly known as dinkey engines, used in operating logging or mining railroads, or any similar work where such locomotives are owned, leased or operated by any individual, company, or corporation and are used in the business of such individual, company, or corporation, and not for general commercial purposes, shall be classed as traction engines and be subject to inspection as are other traction engines, and the persons operating or firing such dinkey locomotives shall be required to hold traction licenses. No persons] A person operating [any of the] engines or boilers [hereinbefore] exempted from [the operation of] this [article] act [shall be] is not required to procure a license from the [board] division.

(2) [Any] A person purchasing [any] a boiler, whether traction or stationary, [shall be] is entitled to receive from the seller the certificates of inspection issued on [such] the boiler, and any person purchasing [any] a boiler, whether traction or stationary, not exempted by [the provisions of] this section, shall, within ten (10) days after such purchase, report the fact of [such] the purchase to the [board] division and shall notify the [board] division as to where [said] the boiler will be installed and operated. [Any] A person failing to comply with [the provisions of] this section shall be deemed guilty of a misdemeanor. All other boilers and steam engines, except as herein exempted, come under the provisions of this [article] act and persons operating same are required to hold the proper [grade] class of license.'

Section 17. Section 69-1516, R.C.M. 1947, is amended to read as follows:

'69-1516. [Certificates must] Licenses shall be renewed yearly — failure to renew. All [certificates of license to engineers of all] classes of engineer's licenses shall be renewed yearly, except as herein provided. [Any] An engineer failing to renew his license as herein provided, or within at least thirty (30) days after the date of expiration shall be assessed the fee for the original license of the same [grade] class, before the license will be reissued. Any engineer failing to renew his license within twelve (12) months of the date of expiration, [must] shall reapply for an engineer's license as required by [the provisions of] section [69-1509] 69-1509.1 [provided, however, that] However, any engineer whose license expired while [such] the engineer was in the United States military [or naval] service [of the United States shall have] has ninety (90) days from the time [such] the engineer is discharged from [such] military [or naval] service within which to renew his license at the renewal fee.'

Section 18. Section 69-1517, R.C.M. 1947, is amended to read as follows:

'69-1517. Operation of [boiler or] boilers, steam [engine] driven machinery or air compressors without license. It is unlawful for [any] a person in this state to operate a [stationary] boiler, [or] steam [engine] driven machinery, or air compressor, [or any boiler or steam engine] other than [engines and boilers] those exempted [by the provisions of section] under 69-1515, without a license granted under [the provisions of this article] this act. The owner, [renter] operator, or user of any [engine or] boiler, steam driven machinery, or air compressor is equally liable for the violation of this section. But in case of accident, sickness, or any unforeseen work prevention [of] by the licensed engineer employed by any owner, [renter] operator, or user [of an engine or boiler], the owner, [renter] operator, or user may, for fifteen (15) days employ any person of the age of eighteen (18) years or [over

whom] older who he [may consider] considers competent to run the [engine or] boiler, steam driven machinery, or air compressor, although [such] the person [so] employed may not be the holder of an engineer's license[.]. [he] The person employed shall have reasonable qualifications acceptable to the [board] division. The person [so] employing the unlicensed engineer shall immediately notify the [board] division of this action. [But no] An owner, [renter] operator, or user of boilers, [or] steam [machinery] driven machinery, or air compressors may not [shall be allowed to so] employ unlicensed engineers for more than fifteen (15) days in any one (1) calendar year. [And it shall be] It is unlawful, except as stated in this section, for [any] a person, firm, or corporation to employ [any] a person not duly licensed as an engineer, within the meaning of this act, to run or operate any of the boilers, [or engines] steam driven machinery, or air compressors subject to the provisions of this act.'

Section 19. Grandfather clause. A person holding a valid license may renew it under the provisions of the old law. All applicants for new licenses or lapsed licenses shall comply with the provisions of this act.

Section 20. Sections 69-1506, 69-1509, 69-1701, and 69-1702, R.C.M. 1947, are repealed.", and

As amended, do pass.

(Material in brackets denotes cancelled type.)

McKITTRICK, Chairman

Report adopted.

February 15, 1974

Mr. Speaker: We, your Committee on Local Government, having had under consideration House Bill No. 776, respectfully report as follows: That House Bill No. 776 be amended in the title, line 10, introduced bill, after the word: "basis" by inserting: "; and providing for an effective date.", and

Be further amended on page 2, line 12, introduced bill, after: "However," by inserting: "subsequent to the passage of this act,", and

Be further amended on page 2, line 13, introduced bill, by omitting the underlined word: "retired", and

Be further amended on page 2, line 13, introduced bill, by reinstating the stricken language: "retiring on or after July 1, 1973", and

Be further amended on page 2, line 17, introduced bill, following the word and punctuation: "city." by inserting the following new material: "Whenever eighty percent (80%) or less of the said fire department relief association's annual income is being used to pay pensions, the said fire department relief association shall pay as monthly compensation to those members retired before July 1, 1973 an amount which shall be not less than one-half ($\frac{1}{2}$) the regular monthly salary paid to a confirmed active fireman of that city as provided each and every year in the annual budget of that city. In the event that the total anticipated pension payments will exceed ninety percent (90%) of the said fire department's annual income no pension adjustments will be made. In no event shall the monthly compensation paid to a member retiring before July 1, 1973 be less than two hundred dollars (\$200).", and

Be further amended on page 3, line 22 by omitting the underlined word: "retired", and

Be further amended on page 3, line 22 by reinstating the stricken language: "retiring on or after July 1, 1973", and

Be further amended on page 4, line 1 following the word and punctuation: "city." by inserting the following new material: "Whenever eighty percent (80%) or less of the said fire department relief association's annual income is being used to pay pensions, the said fire department relief association shall pay as monthly compensation to those members retired before July 1, 1973 an amount which shall be not less than one-half ($\frac{1}{2}$) the regular monthly salary paid to a confirmed active fireman of that city as provided each and every year in the annual budget of that city.

In the event that the total anticipated pension payments will exceed ninety percent (90%) of the said fire department's annual income no pension adjustments will be made. In no event shall the monthly compensation paid to a member retiring before July 1, 1973 be less than two hundred dollars (\$200).", and

Be further amended on page 5, line 8 by reinstating the stricken language: "after July 1, 1973," and the stricken word: "elects", and

Be further amended on page 5, line 9 by omitting the underlined word: "elected", and

Be further amended on page 5, line 12 following the word and punctuation: "city." by inserting the following new material: "Whenever eighty percent (80%) or less of the said fire department relief association's annual income is being used to pay pensions, the said fire department relief association shall pay as monthly compensation to the widows or orphans of deceased members retired before July 1, 1973 an amount which shall be not less than one-half ($\frac{1}{2}$) the regular monthly salary paid to a confirmed active fireman of that city as provided each and every year in the annual budget of that city. In the event that the total anticipated pension payments will exceed ninety percent (90%) of the said fire department's annual income no pension adjustments will be made. In no event shall the monthly compensation paid to a member retiring before July 1, 1973 be less than two hundred dollars (\$200).", and

Be further amended on page 6 after the material on line 2 by adding a new Section 4 to read as follows: "Section 4. Provide for legislation to set an effective date.", and

As amended, do pass.

KOSENSA, Chairman

Report adopted.

February 15, 1974

Mr. Speaker: We, your Committee on Labor and Employment Relations, having had under consideration House Bill No. 782, respectfully report as follows: That House Bill No. 782 be amended on page 2, Section 3, line 5 after the word: "persons" by adding the words: "who customarily and repeatedly offer themselves", and

As amended, do pass.

McKITTRICK, Chairman

Report adopted.

February 16, 1974

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 798, respectfully report as follows: That House Bill No. 798 be amended as follows:

Note: All amendments pertain to the introduced copy of House Bill No. 798.

Be amended on page 2, Section 1, line 3 after the word: "Youth" by inserting the new material: "Court", and

Be further amended on page 2, Section 2, line 6 after the word: "Youth" by inserting the new material: "Court", and

Be further amended on page 2, Section 2, Subsection (1), line 12 after the word: "Youth" by inserting the new material: "Court", and

Be further amended on page 2, Section 2, Subsection (2), line 13 after the parentheses and figures: "(2)" by striking the material: "to provide a program of supervision, care and rehabilitation for youth" and inserting in lieu thereof the new material: "to remove from youth committing violations of the law the element of retribution and to substitute therefor a program of supervision, care and rehabilitation", and

Be further amended on page 2, Section 2, Subsection (4), line 22 after the word: "rights" by striking the punctuation: ";" and inserting in lieu thereof the punctuation: ".", and

Be further amended on page 2, Section 2, line 23 through page 3, line 9 by striking all of Subsections (5) through (8) in their entirety, and

Be further amended on page 3, Section 3, line 13 after the word: "Youth" by inserting the new material: "Court", and

Be further amended on page 4, Section 3, Subsection (8), line 7 after the word: "determine" by striking the words: "when and", and

Be further amended on page 4, Section 3, Subsection (8), line 7 after the word: "live" by inserting the new material: "and for what period", and

Be further amended on page 4, Section 3, Subsection (9), line 16 after the words: "father of" by striking the words: "a youth whose parenthood has not been judicially established" and inserting in lieu thereof the new material: "an illegitimate youth unless his paternity is established by an adjudication or by other clear and convincing proof", and

Be further amended on page 4, Section 3, Subsection (11), line 20 after the word: "means" by inserting the new material: "the court established pursuant to this act to hear all proceedings in which a youth is alleged to be a delinquent youth, a youth in need of supervision or a youth in need of care, and includes the youth court", and

Be further amended on page 5, Section 3, Subsection (a), line 8 after the word: "regarding" by inserting the new material: "use of", and

Be further amended on page 5, Section 3, Subsection (a), line 8 after the word: "beverages" by inserting the new material: "by minors", and

Be further amended on page 5, Section 3, Subsection (c), line 13 after the material: "school." by adding a new Subsection (d) to read as follows: "(d) has committed any of the acts of a delinquent youth but whom the youth court in its discretion chooses to regard as a youth in need of supervision.", and

Be further amended on page 5, Section 3, lines 14, 15 and 16 by striking all of lines 14, 15 and 16 in their entirety, and

Be further amended on page 5, Section 3, Subsection (14), line 18 after the material: "section 10-1301." by adding new Subsections (15), (16), and (17) to read as follows: "(15) 'Custodian' means a person other than a parent or guardian, to whom legal custody of the youth has been given, but does not include a person who has only physical custody;

(16) 'Necessary parties' include the youth, his parents, guardian, custodian or spouse;

(17) 'Detention facility' means a residential facility for the detention and rehabilitation of delinquent youth such as Pine Hills School in Miles City and Mountain View School in Helena.", and

Be further amended on page 6, Section 6, line 14 after the word: "Youth" by adding the new material: "Court", and

Be further amended on page 9, Section 9, Subsection (a), line 18 after the word: "act" by inserting the new material: "and the constitutions of the State of Montana and the United States", and

Be further amended on page 10, Section 9, Subsection (b), line 15 after the word: "or" by striking the word: "detention" and inserting in lieu thereof the new material: "other disposition authorized", and

Be further amended on page 11, Section 10, Subsection (2), line 24 after the word: "or" by striking the word: "detention" and inserting in lieu thereof the new material: "other disposition", and

Be further amended on page 12, Section 10, Subsection (b), line 7 after the word: "been" by inserting the new material: "or will be in any way", and

Be further amended on page 12, Section 10, Subsection (3), line 14 after the material: "declarant." by adding new Subsections (4), (a), (b), (c) and (d) to read as follows: "(4) The following dispositions may be imposed by informal adjustment:

(a) probation;

(b) placement of the youth in a licensed foster home or other home approved by the court;

(c) placement of the youth in a private agency responsible for the care and rehabilitation of such a youth, including but not limited to, a district youth guidance home;

(d) transfer of legal custody of the youth to the department of institutions, provided, however, that such commitment shall not authorize the department of institutions to place the youth in a detention facility as defined by this act and such commitment shall not exceed a period of six (6) months without a subsequent order of the court, after notice and hearing," and

Be further amended on page 14, Section 13, Subsection (3), line 14 after the word: "shall" by striking the material: ", as soon as practicable," and inserting in lieu thereof the new material: "immediately", and

Be further amended on page 14, Section 13, Subsection (3), line 15 after the word: "fact" by inserting the new material: "and shall, as soon as practicable, provide the probation officer", and

Be further amended on page 14, Section 14, Subsection (1), line 20 after the word: "youth" by inserting the new material: "or youth", and

Be further amended on page 15, Section 14, Subsection (c), line 1 after the word: "a" by striking the word: "detention home" and inserting in lieu thereof the new material: "district youth guidance home or other youth facility", and

Be further amended on page 15, Section 14, Subsection (c), line 3 after the words and punctuation: "court; or" by adding a new Subsection (d) to read as follows: "(d) a detention facility;" and relettering subsequent subsection accordingly, and

Be further amended on page 15, Section 14, Subsection (d), line 7 after the word: "the" by striking the word: "facility" and inserting in lieu thereof the new material: "facilities", and

Be further amended on page 15, Section 14, Subsection (c), line 7 after the material: "(c)" by inserting the new material: "or (d)", and

Be further amended on page 15, Section 14, Subsection (d), line 10 after the material: "detention;" by inserting the new material: "the facilities specified in Subsection (a) or (b) are not sufficient;", and

Be further amended on page 16, Section 15, Subsection (2), line 11 after the word: "offense" by inserting the new material: "which", and

Be further amended on page 17, Section 15, Subsection (5), line 4 after the material: "whether the" by striking the word: "child" and inserting in lieu thereof the new word: "youth", and

Be further amended on page 17, Section 15, Subsection (7), line 12 after the word: "addresses" by striking the punctuation mark: "," and inserting in lieu thereof the new material: ". The names and addresses of any witnesses discovered after the filing of the petition", and

Be further amended on page 17, Section 16, Subsection (2), line 25 after the material: "Youth" by adding the new material: "Court", and

Be further amended on page 18, Section 16, Subsection (4), line 13 after the word: "Youth" by inserting the new material: "Court", and

Be further amended on page 18, Section 16, Subsection (4), line 14 after the word and punctuation: "proceedings." by adding a new Subsection (5) to read as follows: "(5) If any youth is in custody or detained under any provision of this act pending an adjudication, the court, upon petition of the youth, his parents or guardian or

his counsel shall, as soon as practicable, conduct a hearing in order to determine whether the circumstances of the case require such custody and the form the custody should take.”, and

Be further amended on page 19, Section 17, Subsection (7), line 24 after the word: “summons” by inserting the new material: “on himself”, and

Be further amended on page 20, Section 18, Subsection (2), line 9 after the word: “rights” by striking the material: “enumerated by the Miranda warning” and inserting in lieu thereof the new material: “and his rights under this act”, and

Be further amended on page 20, Section 18, Subsection (b), line 11 after the word: “such” by striking the word: “constitutional”, and

Be further amended on page 20, Section 18, Subsection (c), line 22 by striking all of Subsection (c) in its entirety and inserting in lieu thereof the new Subsection (c) to read as follows: “(c) In a proceeding alleging a youth to be a delinquent youth:

(i) an extra-judicial statement that would be constitutionally inadmissible in a criminal matter shall not be received in evidence;

(ii) evidence illegally seized or obtained shall not be received in evidence to establish the allegations of a petition against a youth; and

(iii) an extra-judicial admission or confession made by the youth out of court is insufficient to support a finding that the youth committed the acts alleged in the petition unless it is corroborated by other evidence.”, and

Be further amended on page 21, Section 18, Subsection (3), line 24 after the material: “court or” by inserting the new material: “, in the absence of the court, by”, and

Be further amended on page 22, Section 18, Subsection (3), line 6 after the material: “commitment to” by striking the material: “the department of institutions, or any other institution” and inserting in lieu thereof the new material: “a detention facility or a youth forest camp or to the department of institutions for a period of more than six (6) months”, and

Be further amended on page 24, Section 19, Subsection (5), lines 21 through 24 after the material: “this section” by striking the material: “as distinguished from transfer hearing involving a youth charged with the criminal offense set forth in section 10-1229”, and

Be further amended on page 25, Section 21, Subsection (1), line 18 after the word: “practicable” by inserting the new material: “after a youth is found to be a delinquent youth or a youth in need of supervision”, and

Be further amended on page 27, Section 22, Subsection (a), line 9 after the material: “probation;” by adding a new Subsection (b) to read as follows: “(b) place in a licensed foster home or a home approved by the court;”, and reletter the subsequent subsections to correspond alphabetically, and

Be further amended on page 27, Section 22, present Subsection (b), line 11 after the word: “youth” by inserting the new material: “, including, but not limited to, a district youth guidance home”, and

Be further amended on page 27, Section 22, present Subsection (c), line 13 after the word: “institutions” by inserting the new material: “. Provided, however, that in the case of a youth in need of supervision, such transfer of custody shall not authorize the department of institutions to place the youth in a detention facility and such custody shall not continue for a period of more than six (6) months without a subsequent court order after notice and hearing”, and

Be further amended on page 27, Section 22, present Subsection (d), line 15 after the word: “youth” by inserting the new material: “, consistent with Subsection (d) of this section”, and

Be further amended on page 27, Section 22, Subsection (2), line 17 after the word: “youth” by inserting the new material: “in the manner provided in section 10-1218(1), R.C.M. 1947, for consent by a youth to waiver of his constitutional rights”, and

Be further amended on page 27, Section 22, Subsection (a), line 22 after the material: "center for" by striking the word: "children" and inserting in lieu thereof the new word: "youths", and

Be further amended on page 29, Section 22, Subsection (4), line 3 after the word: "time" by striking the material: ", except an order committing a child to the custody of the department of institutions", and

Be further amended on page 30, Section 22, Subsection (6), line 11 after the material: "until" by striking the material: "attains the age of twenty-one (21) or is sooner legally discharged or placed out", and

Be further amended on page 31, Section 24, Subsection (1), line 17 after the material: "decree." by inserting the new material: "The procedures used and dispositions permitted when this section shall conform to the procedure and disposition specified in section 10-1210, R.C.M. 1947, relating to consent adjustments without petition.", and

Be further amended on page 31, Section 24, Subsection (2), line 18 after the word: "youth" by inserting the new material: "or his counsel", and

Be further amended on page 31, Section 24, lines 20 through 25 and on page 32, Section 24, line 1 after the material: "case." by striking all of the remaining material in line 20 and all of the material in lines 21 through line 1 on page 32, and

Be further amended on page 33, Section 25, Subsection (1), line 2 after the word: "party" by inserting the new material: "other than the state", and

Be further amended on page 34, Section 27, line 18 after the word: "agency" by inserting the new material: "or the court", and

Be further amended on page 35, Section 28, line 15 after the word: "is" by striking the material: "a preponderance of the evidence" and inserting in lieu thereof the new material: "the same standard used in probation revocation of an adult", and

Be further amended on page 36, Section 29, Subsection (1), line 3 after the material: "may," by inserting the new material: "upon motion of the county attorney", and

Be further amended on page 37, Section 29, Subsection (c), line 7 after the material: "given to" by striking the material: "the youth's" and inserting in lieu thereof the new material: "the youth, his counsel, and his", and

Be further amended on page 38, Section 29, Subsection (c), line 7 after the material: "to the" by striking the material: "juvenile" and inserting in lieu thereof the new material: "youth", and

Be further amended on page 39, Section 30, Subsection (2), line 9 after the word: "permitted" by inserting the new material: "prior to the sealing of the records", and

Be further amended on page 41, Section 32, Subsection (3), line 25 after the word: "court" by striking the punctuation mark: "." and inserting in lieu thereof the new material: "or the youth, upon petition to the youth court", and

Be further amended on page 41, Section 32, Subsection (3), line 25 after the material: "court." by adding a new Subsection (4) to read as follows: "(4) Upon the physical sealing of the records pertaining to a youth pursuant to this section any agency or department that has in its possession copies of the records so sealed shall also seal or destroy such copies of records. Anyone violating the provisions of this subsection shall be subject to contempt of court.", and renumber subsequent subsections to conform numerically, and

Be further amended on page 44, Section 34, Subsection (2), line 4 after the material: "appointed as a" by inserting the new material: "chief", and

Be further amended on page 44, Section 34, Subsection (2), line 5 after the material: "qualifications:" by adding a new Subsection (a) to read as follows: "(a) a

master's degree in the behavioral sciences or," and reletter subsequent sections to conform alphabetically, and

Be further amended on page 44, Section 34, present Subsection (3), line 17 after the material: "duties of a" by inserting the new material: "chief", and

Be further amended on page 44, Section 34, Subsection (3), line 18 after the word: "officer" by inserting the new material: "; provided, preference shall be given to persons with the qualifications set forth in subsection (2) above", and

Be further amended on page 45, Section 34, Subsection (6), line 7 after the word: "A" by inserting the new material: "licensed", and

Be further amended on page 47, Section 36, Subsection (1), line 1 after the word: "permanent" by inserting the new material: "licensed", and

Be further amended on page 47, Section 36, Subsection (1), line 1 after the material: "homes" by inserting the new material: "or other homes approved by the court", and

Be further amended on page 47, Section 36, Subsection (2), line 3 after the word: "The" by inserting the new material: "licensed", and

Be further amended on page 47, Section 36, Subsection (3), line 6 after the word: "All" by inserting the new material: "licensed", and

Be further amended on page 49, Section 38, line 2 after the material: "youth," by inserting the new material: "provided, however, that such sum shall not exceed the cost of reasonable care of a normal youth at home," and

Be further amended on page 49, Section 40, line 15 after the word: "citizens" by inserting the new material: "including youth representatives," and

Be further amended on page 49, Section 40, line 19 after the material: "court," by inserting the new material: "including the appointment of probation officers," and

Be further amended on page 50, Section 41, line 3 after the word: "except" by striking the material: "where a hearing or a proceeding is had in the youth court on a written petition charging the commission of any felony", and inserting in lieu thereof the new material: "as provided in section 10-1220(5), R.C.M. 1947", and

Be further amended on page 50, Section 42, line 12 after the word: "supervision" by striking the material: "or youths tending toward delinquency or in need of supervision", and

Be further amended on page 50, Section 42, line 21 after the word: "supervision" by striking the material: "or youths tending toward delinquency or in need of supervision", and

Be further amended on page 51, Section 43, Subsection (c), lines 9 through 19 by striking all of Subsection (c) in its entirety and relettering subsequent subsection to conform alphabetically, and

Be further amended on page 52, Section 43, Subsection (d), line 2 after the word: "supervision" by striking the material: "and youths tending toward delinquency and in need of supervision", and

Be further amended on page 52, Section 45, line 14 after the word: "supervision" by striking the material: "and youths tending toward delinquency or in need of supervision", and

Be further amended on page 53, Section 46, line 5 after the word: "supervision" by striking the material: "and youths tending toward delinquency or in need of supervision", and

Be further amended on page 54, Section 48, line 2 after the word: "supervision" by striking the material: "or a youth tending toward delinquency or in need of supervision", and

Be further amended on page 54, Section 49, line 13 after the word: "supervision"

by striking the material: "or a youth tending toward delinquency or in need of supervision", and

As amended, do pass.

YARDLEY, Vice-Chairman

Report adopted.

February 15, 1974

Mr. Speaker: We, your Committee on Labor and Employment Relations, having had under consideration House Bill No. 1021, respectfully report as follows: That House Bill No. 1021 do pass.

McKITTRICK, Chairman

Report adopted.

MESSAGES FROM THE OTHER HOUSE

February 16, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was this day read three times and concurred in, title and history agreed to and the said bill is herewith returned to the House:

House Bill No. 804 introduced by Brand, Driscoll, et al

Respectfully yours,

JOHN N. HANSON

Secretary of the Senate

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following resolution was introduced, read first time and referred to committee.

House Joint Resolution No. 82, introduced by House Judiciary Committee: A Joint Resolution of the House of Representatives and the Senate of the State of Montana directing the Legislative Council to undertake a study of ethical considerations affecting elected officials and public employees and to propose legislation establishing a code of or codes of ethics for elected officials and public employees, pursuant to the mandate of Article XIII, Section 4, of the Montana Constitution. Referred to Committee on State Administration.

UNFINISHED BUSINESS

The Speaker appointed the following Conference Committee to meet with a like committee from the Senate on House Amendments to Senate Bill No. 669: Gerke, Chairman; Edland and Hubing.

The Speaker appointed the following Conference Committee to meet with a like committee from the Senate on Senate Amendments to House Bill No. 654: Lynch, Chairman; Holmes and Cox.

Fasbender moved that the House adjourn until 12:00 noon, February 18, 1974.

Motion carried.

House adjourned.

HAROLD E. GERKE, Speaker

EDWIN A. SMITH, Chief Clerk

THIRTY-SEVENTH LEGISLATIVE DAY

Helena, Montana
February 18, 1974

House Chambers
Capitol Building

House convened at 12:00 noon, Mr. Speaker Pro Tempore in the Chair.

Invocation by the Chaplain.

Pledge of Allegiance to the Flag.

Roll call. All members present except Aageson, Haines, Hall, Holtz, Kendall, Mercer and Zimmer, all excused; Fleming and Rolfe, absent.

Quorum present.

Mr. Speaker Pro Tempore: We, your Committee on Bills and Journal, having examined the daily journal for the Thirty-sixth Legislative Day, find the same to be correct.

QUILICI, Chairman

REPORTS OF STANDING COMMITTEES

February 18, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills considered correctly engrossed: House Bill No. 448, House Bill No. 607, House Bill No. 665, House Bill No. 895, House Bill No. 926.

QUILICI, Chairman

February 18, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly printed: House Bill No. 749, House Bill No. 1021.

QUILICI, Chairman

February 16, 1974

reported February 18, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill correctly printed: House Bill No. 939.

QUILICI, Chairman

February 18, 1974

The following resolution was signed in the office of the Speaker of the House of Representatives on February 16, 1974: House Resolution No. 46.

EDWIN A. SMITH, Chief Clerk
House of Representatives

February 18, 1974

Mr. Speaker: We, your Committee on Natural Resources, having had under consideration House Bill No. 1016, respectfully report as follows: That House Bill No. 1016 be amended in the introduced bill as follows:

Amend the title, lines 7 and 8 by striking the words "to include only parcels of less than forty (40) acres in size", and

Be further amended in Section 1, page 2, lines 18 through 25 and on page 3, lines 1 through 4, which is all of Subsection (1), by striking it in its entirety and inserting in lieu thereof the following: "(1) 'Subdivision' has the same meaning as the word is defined in section 11-3861(12)."

As amended, do pass.

SHELDEN, Chairman

Report adopted.

February 18, 1974

Mr. Speaker: We, your Committee on Natural Resources, having had under con-

sideration House Bill No. 1017, respectfully report as follows: That House Bill No. 1017 be amended in the introduced bill as follows:

Amend the title, page 1, lines 8 and 9 by striking the words "to include only parcels of less than 40 acres in size", and

Be further amended on page 2, Section 1, Subsection (2.1), line 18, following the word "transferring" by inserting a comma ","; and on line 19, following the word "transfer" by inserting a comma ",", and

Be further amended on page 3, Section 1, Subsection (4.1), line 6, following the words "other than" by inserting the words "an aliquot part of the United States government survey section or", and

Be further amended on page 3, Section 1, Subsection (4.1), lines 6 and 7 by striking the words "which is not rectangular in shape" and inserting in lieu thereof the words "the boundaries or areas of which cannot be determined without a survey or trigonometric calculation", and

Be further amended on page 4, Section 1, Subsection (8), line 3, following the word "dedication" by inserting the words "required by this act to be", and

Be further amended on page 4, Section 1, Subsection (10), line 13, following the word "Engineers" by inserting the word "Registration", and

Be further amended on page 5, Section 1, Subsection (12), line 17 by striking the words and punctuation ", or land so divided," and

Be further amended on page 5, Section 1, Subsection (12), lines 18 and 19 by striking the words and punctuation "containing less than forty (40) acres, exclusive of public roadways," and

Be further amended on page 5, Section 1, Subsection (12), line 25, following the word "parcels" by striking the word "of", and

Be further amended on page 6, Section 1, Subsection (12), line 1 by striking the words and punctuation "less than forty (40) acres", and

Be further amended on page 6, Section 2, Subsection (1), lines 17 through 23 by striking all of Subsection (1) in its entirety and inserting in lieu thereof the following new material:

"(1) All divisions of land for sale other than a subdivision after the effective date of this act into parcels which cannot be described by aliquot parts of a United States government section or a United States government lot must be surveyed by or under the supervision of a registered land surveyor.", and

Be further amended on page 9, Section 2, Subsection (8), line 6, following the words "subject to" by inserting the following words, numbers and punctuation "the summary review provisions of section 11-3863(5) and", and

Be further amended on page 9, Section 2, Subsection (8) (c), line 18, following the word and punctuation "purposes." by adding the following new sentence: "Any change in use of the land for anything other than agricultural purposes subjects the division to the provisions of this chapter.", and

Be further amended on page 9, Section 2, following Subsection (8) (c), after line 18 by inserting the following new Sub-subsection (d): "(d) A single division of a parcel when the transaction is an occasional sale, as opposed to an ongoing subdivision scheme, determined in accordance with rules established by the department.", and

Be further amended on page 9, Section 2, following Subsection (9), after line 22 by inserting a new Subsection (10) to read as follows: "(10) This chapter does not apply to any subdivision within the city limits of any incorporated town or city."; and renumber following subsections to comply numerically, and

Be further amended on page 10, Section 2, former Subsection (10), new Subsection (11), following Sub-subsection (f), after line 17 by adding a new Sub-subsection (g) to read as follows: "(g) This chapter does not apply to any condominium created solely by the change of ownership of any existing structure.", and

Be further amended on page 11, Section 2, former Subsection (12), new Subsection (13), line 1, following the word and punctuation "survey," by adding the following new sentence: "Provided, however, that monuments shall be either steel pins, thirty (30) inches in length or more, or concrete markers approximately thirty (30) inches long by five (5) inches square.", and

Be further amended on page 13, Section 3, Subsection (3.1), line 19 by striking the words "governing body" and inserting in lieu thereof the words "a planning board established pursuant to sections 11-3801 through 11-3856 and having jurisdiction over the area involved", and

Be further amended on page 13, Section 3, Subsection (3.1), line 21, following the word "assessment" by inserting the words "if, in either case, the proposed subdivision is in compliance with the adopted master plan", and

Be further amended on page 13, Section 3, Subsection (3.1), line 22 by striking the words "governing body" and inserting in lieu thereof the words "planning board", and

Be further amended on page 13, Section 3, Subsection (3.1), line 25, following the word and punctuation "review," by adding the following new sentence: "Where no properly established planning board having jurisdiction exists, the governing body may grant exemptions as specified in this paragraph.", and

Be further amended on page 21, Section 6, Subsection (3), line 24, following the word and punctuation "hearing," by adding the following new sentence: "Each property owner of record immediately adjoining the land included in the plat shall also be notified of the hearing by registered mail not less than fifteen (15) days prior to the date of the hearing.", and

Be further amended on page 22, Section 6, Subsection (4), line 13, following the words "governing body" by inserting the word "shall", and

Be further amended on page 22, Section 7, line 24, following the words "review of" by inserting the word "final"; and following the word "plats" by inserting the words "and certificate of survey"; and following the word "by" by inserting the word "examining", and

Be further amended on page 23, Section 7, Subsection (1), line 1, following the word "plats" by inserting the words "and certificates of survey", and

Be further amended on page 23, Section 7, Subsection (1), line 3, following the word "surveyor" by adding the words "before recording with the county clerk and recorder", and

Be further amended on page 23, Section 7, Subsection (1), line 14, following the word "plat" by inserting the words "and certificate of survey", and

Be further amended on page 23, Section 7, Subsection (1), line 16, following the word "plat" by inserting the words "and certificate of survey", and

Be further amended on page 23, Section 7, Subsection (1), line 19, following the word "plat" by inserting the words "or certificate of survey".

As amended, do pass.

SHELDEN, Chairman

Report adopted.

February 18, 1974

Mr. Speaker: We, your Committee on Natural Resources, having had under consideration House Bill No. 1101, respectfully report as follows: That House Bill No. 1101 be amended in the introduced bill as follows:

Be amended on page 2, Section 1, Subsection 4, line 17, following the word "supplies" by inserting the following words: "or which is to be used solely for hydroelectric generating of power", and

Be further amended on page 3, Section 1, Subsection 5, line 2, following the word

"water" by inserting the following words: "for agricultural use and public water supplies".

As amended, do pass.

SHELDEN, Chairman

Report adopted.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 187 was adopted by the following vote:

Ayes: Ainsworth, Baeth, Bardanouve, Barrett, Baucus, Bell, Brand, Campbell, Clemow, Cotton, Cox, Edland, Fagg, Fasbender, Forsgren, Galt, Glennen, Greely, Hageman, Hager, Halvorson, R. Harper, Healy, Hodges, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kessner, Kolstad, Kvaalen, Laas, Lee, Lien, Lombardi, Lucas, Lund, Lundgren, McKittrick, Mann, Manuel, Marks, Mehrens, Norman, Olson, Prevost, Quilici, Regan, Roberts, Schepens, Schye, Seifert, Selstad, Smith, Staigmilller, Stephens, Stoltz, Swanberg, Turner, Walborn, Watt. Total 62.

Noes: Bennetts, Brown, Gunderson, Lynch, Murphy, Shelden, Tierney, Towe, Warfield, Yardley. Total 10.

Excused: Aageson, Haines, Hall, Holtz, Kendall, Mercer, Zimmer. Total 7.

Absent or not voting: Asbjornson, Bradley, Burnett, Castles, Colberg, Driscoll, East, Ellerd, Fleming, Flynn, Gerke, H. Harper, Holmes, Kimble, Kosena, Lockrem, Marbut, Menahan, Rolfe, Turman, Ulmer. Total 21.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 659 was adopted by the following vote:

Ayes: Baeth, Barrett, Baucus, Bell, Brand, Brown, Campbell, Castles, Cox, Edland, Fagg, Fasbender, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Halvorson, H. Harper, R. Harper, Healy, Hodges, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kessner, Kolstad, Kvaalen, Laas, Lee, Lien, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marks, Mehrens, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmilller, Stephens, Stoltz, Tierney, Towe, Turner, Walborn, Warfield, Watt. Total 67.

Noes: Cotton. Total 1.

Excused: Aageson, Haines, Hall, Holtz, Kendall, Mercer, Zimmer. Total 7.

Absent or not voting: Ainsworth, Asbjornson, Bardanouve, Bennetts, Bradley, Burnett, Clemow, Colberg, Driscoll, East, Ellerd, Fleming, Flynn, Gerke, Holmes, Kimble, Kosena, Lockrem, Marbut, Menahan, Rolfe, Swanberg, Turman, Ulmer, Yardley. Total 25.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 905 was adopted by the following vote:

Ayes: Ainsworth, Baeth, Bardanouve, Baucus, Bell, Bradley, Brand, Brown, Campbell, Clemow, Cotton, Cox, Driscoll, East, Edland, Fagg, Fasbender, Forsgren, Glennen, Greely, Gunderson, Hageman, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Jacobsen, Johnston, Jones, Kessner, Kimble, Kolstad, Kvaalen, Laas, Lee, Lien, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marks, Mehrens, Menahan, Olson, Prevost, Quilici, Regan, Schepens, Seifert, Selstad, Shelden, Staigmilller, Stephens, Stoltz, Tierney, Towe, Turner, Watt. Total 65.

Noes: Barrett, Galt, Hager, Huennekens, Lockrem, Smith, Walborn, Warfield, Yardley. Total 9.

Excused: Aageson, Haines, Hall, Holtz, Kendall, Mercer, Zimmer. Total 7.

Absent or not voting: Asbjornson, Bennetts, Burnett, Castles, Colberg, Ellerd, Fleming, Flynn, Gerke, Kosena, Marbut, Murphy, Norman, Roberts, Rolfe, Schye, Swanberg, Turman, Ulmer. Total 19.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 936 was adopted by the following vote:

Ayes: Ainsworth, Baeth, Bardanouve, Barrett, Baucus, Bennetts, Brown, Campbell, Castles, Clemow, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Forsgren, Galt, Glennen, Gunderson, Hageman, Hager, Halvorson, H. Harper, R. Harper, Hodges, Hubing, Jacobsen, Johnston, Jones, Kessner, Kimble, Kvaalen, Laas, Lee, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marks, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Schepens, Seifert, Selstad, Shelden, Smith, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Turner, Walborn, Warfield, Watt. Total 70.

Noes: Bell, Bradley, Brand, Greely, Healy, Huennekens, Kolstad, Lien, Towe. Total 9.

Excused: Ageson, Haines, Hall, Holtz, Kendall, Mercer, Zimmer. Total 7.

Absent or not voting: Asbjornson, Burnett, Colberg, Fleming, Flynn, Gerke, Holmes, Kosena, Marbut, Rolfe, Schye, Turman, Ulmer, Yardley. Total 14

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 972 was adopted by the following vote:

Ayes: Ainsworth, Baeth, Bardanouve, Barrett, Baucus, Bell, Brown, Campbell, Castles, Cox, Driscoll, Edland, Fagg, Fasbender, Forsgren, Glennen, Greely, Gunderson, Hageman, Halvorson, Healy, Holmes, Hubing, Jacobsen, Johnston, Jones, Kessner, Kimble, Kolstad, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Marks, Mehrens, Menahan, Murphy, Norman, Prevost, Quilici, Regan, Roberts, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmillier, Stephens, Stoltz, Tierney, Turner, Walborn, Warfield, Watt, Yardley. Total 65.

Noes: Bennetts, Bradley, Brand, Cotton, Hager, H. Harper, R. Harper, Hodges, Huennekens, Towe, Turman. Total 11.

Excused: Ageson, Haines, Hall, Holtz, Kendall, Mercer, Zimmer. Total 7.

Absent or not voting: Asbjornson, Burnett, Clemow, Colberg, East, Ellerd, Fleming, Flynn, Galt, Gerke, Kosena, Manuel, Marbut, Olson, Rolfe, Swanberg, Ulmer. Total 17.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 1096 was adopted by the following vote:

Ayes: Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Brand, Brown, Campbell, Castles, Clemow, Cotton, Driscoll, Edland, Fagg, Fasbender, Forsgren, Galt, Glennen, Gunderson, Hageman, Hager, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Jacobsen, Johnston, Jones, Kessner, Kimble, Kolstad, Kvaalen, Laas, Lee, Lien, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marks, Mehrens, Menahan, Murphy, Norman, Prevost, Quilici, Regan, Roberts, Schepens, Schye, Seifert, Shelden, Smith, Staigmillier, Stephens, Stoltz, Tierney, Towe, Turman, Turner, Walborn, Warfield, Watt. Total 70.

Noes: Cox, Huennekens, Lockrem, Lombardi, Selstad, Yardley. Total 6.

Excused: Ageson, Haines, Hall, Holtz, Kendall, Mercer, Zimmer. Total 7.

Absent or not voting: Ainsworth, Asbjornson, Bradley, Burnett, Colberg, East, Ellerd, Fleming, Flynn, Gerke, Greely, Kosena, Marbut, Olson, Rolfe, Swanberg, Ulmer. Total 17.

February 18, 1974

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration House Bill No. 767, respectfully report as follows: That House Bill No. 767 be amended on page 2 of the introduced bill, line 1, after "governments" by inserting the following punctuation and words: ", providing however that no more than 11 will be members of one political party.", and

As amended, do pass.

GREELY, Vice-Chairman

Report adopted.

February 18, 1974

Mr. Speaker: We your Committee on Constitution, Elections and Federal Relations, having had under consideration House Bill No. 890, respectfully report as follows: That House Bill No. 890 receive no recommendation.

GREELY, Vice-Chairman

February 18, 1974

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration House Bill No. 975, respectfully report as follows: That House Bill No. 975 receive no recommendation.

GREELY, Vice-Chairman

February 18, 1974

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration Senate Bill No. 453, respectfully report as follows: That Senate Bill No. 453 be concurred in.

GREELY, Vice-Chairman

Report adopted.

February 18, 1974

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration Senate Joint Resolution No. 51, respectfully report as follows: That Senate Joint Resolution No. 51 be not concurred in.

GREELY, Vice-Chairman

MESSAGES FROM THE OTHER HOUSE

February 16, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bills and Resolutions were this day read three several times, and passed, title and history agreed to, and the bills and resolutions are herewith transmitted to the House for concurrence:

Senate Bill No. 639 introduced by Drake, Bennett and Devine

Senate Bill No. 728 introduced by McGowan, Mathers, et al

Senate Joint Resolution No. 54 introduced by Lynch

Senate Joint Resolution No. 62 introduced by Bollinger

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

MOTIONS

Fasbender moved that the rules be suspended and that all bills which pass on Second Reading on the Fortieth Legislative Day be placed on Third Reading for consideration that day.

Motion carried.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following bills were introduced, read first time and referred to committees:

Senate Bill No. 639, introduced by Drake, Bennett, Devine: A bill for an act entitled: "An act to amend Sections 53-428, 53-449, and 53-450, R.C.M. 1947, relating to the requirements for the deposit of security under the Motor Vehicle Safety — Responsibility Act; and to repeal Sections 53-421, 53-422, 53-423, 53-424, 53-425, 53-426, 53-427, R.C.M. 1947." Referred to Committee on Judiciary.

Senate Bill No. 728, introduced by McGowan, Mathers, Turnage, Lynch, Sorensen: A bill for an act entitled: "An act providing for the suspension of action on certain applications for permits to appropriate surface water in the Yellowstone River Basin for three (3) years or until existing rights have been determined, whichever occurs first; making reservations established under the Montana Water Use Act preferred uses over such permits; and providing for an immediate effective date." Referred to Committee on Natural Resources.

Senate Joint Resolution No. 54, introduced by Lynch: A Joint Resolution of the Senate and the House of Representatives of the State of Montana requesting the Office of the Governor in conjunction with the Highway Traffic Safety Division of the Department of Intergovernmental Relations to coordinate the development of a comprehensive Motor Vehicle Information System (MVIS) and further requesting the Motor Fuel Tax Division, Department of Revenue; Gross Vehicle Weight Division, Department of Highways; Registrar's Bureau, Department of Justice; Highway Patrol Bureau, Department of Justice; and the Department of Public Service Regulation to cooperate with the Office of the Governor and the Highway Traffic Safety Division of the Department of Intergovernmental Relations in developing this system. Referred to Committee on Local Government.

Senate Joint Resolution No. 62, introduced by Bollinger: A Joint Resolution of the Senate and the House of Representatives of the State of Montana requesting the Committee on Priorities to assign a joint subcommittee to study all aspects of licensing done by state and local governmental units in Montana except as related to motor vehicles and Fish and Game licenses; and to report its findings with recommendations and draft legislation for the consolidation of licenses and licensing functions to the 1975 Session of the Legislature. Referred to Committee on State Administration.

SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)

Fasbender moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading under the rules of the previous sitting. Motion carried.

Greely in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

February 18, 1974

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That House Bill No. 305 be placed below House Bill No. 790 on the Board.

That House Bill No. 615 do pass. (75-0)

That House Bill No. 690 do pass. (69-8)

That House Bill No. 741 do pass. (76-5)

That House Bill No. 790 do pass. (55-24)

That House Bill No. 305 be amended in the title, line 17 by striking the figure "20" and inserting in lieu thereof the figure "1"; (80-0), and

Further amend Section 1, line 1, page 2 by striking the figure "20" and inserting in lieu thereof the figure "1", and

Further amend Section 1, line 19, page 2 by striking the figure "20" and inserting in lieu thereof the figure "1"; (80-0), and

Rolfe and Fleming present at this time.

As amended, do pass. (87-0)

That House Bill No. 904 do pass. (71-10)

That House Bill No. 932 do pass. (80-4)

That House Bill No. 935 do not pass. (46-42)

That House Bill No. 938 do pass. (76-6)

That House Bill No. 939 do pass. (75-5)

That House Bill No. 967 do pass. (76-3)

That House Bill No. 974 do pass. (52-30)

That House Bill No. 1005 be amended in the title, page 1, lines 8 and 9 by striking the words "with both substantive and housekeeping changes" and inserting in lieu thereof the punctuation and words "; extending the regulation of coal mining to meet the requirements of the Federal Coal Mine Health and Safety Act of 1969"; (68-0), and

As amended, do pass. (79-4)

That House Bill No. 1007 do pass. (83-3)

That House Bill No. 1011 be amended in Section 6, page 2, line 25 by adding a new Subsection (4) to read as follows: "(4) preference shall be given to Montana high school graduates."; (62-27), and

As amended, do pass. (89-0)

Swanberg replaces Greely in the Chair.

That House Bill No. 1020 be amended in Section 6, page 16, line 15 by inserting after the word "of" the word "knowingly"; (80-0), and

As amended, do not pass. (52-40)

That House Joint Resolution No. 69 do not pass. (71-17)

Greely resumes the chair.

That House Bill No. 1035 do pass. (71-11)

That House Bill No. 1039 be amended in the second reading bill, Section 1, page 1, line 11 following the word "institutions" by striking the words: "of the Montana post-secondary education system" and inserting in lieu thereof the words: "governed, supervised or coordinated by the board of regents of higher education", and

Be further amended in Section 1, page 1, lines 15 and 16 after the word "to" in line 15 by striking the words: "an institution of post-secondary education" and inserting in lieu thereof the words: "such institutions"; (78-3), and

Be further amended in Section 2, page 1, line 25 after the word "education" by striking the word "administered" and inserting in lieu thereof the words: "governed, supervised"; (71-4), and

Be further amended in Section 3, page 2, lines 9 and 10 after the word "established" in line 9 by striking the words: "within the university system"; (77-0), and

As amended, do pass. (60-25)

That House Bill No. 1056 be amended in Section 1, page 5 after the word "economy." in line 22 by adding the following language: "Further, due consideration shall be given to investments which will benefit the smaller communities in the state of Montana." (46-23), and

As amended, do pass. (79-6)

That House Bill No. 1066 do pass. (66-11)

That House Bill No. 1074 do pass. (73-1)

That House Joint Resolution No. 58 do pass. (81-0)

That House Joint Resolution No. 80 be amended on page 1, line 6 by striking the language: "Governor of Montana to appoint" and inserting in lieu thereof the following language: "appointment of" (79-0), and

As amended, do pass. (82-3)

That the committee rise and report.

GREELY, Chairman

As a substitute motion, Kimble moved that House Bill No. 1020 and House Joint Resolution No. 69 be segregated from the Committee of the Whole report and, as amended, the Committee of the Whole report be adopted.

Motion failed.

Report adopted.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 698 was passed by the following vote:

Ayes: Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kessner, Kimble, Kolstad, Kosen, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 91.

Noes: None.

Excused: Ageson, Haines, Hall, Holtz, Kendall, Mercer, Zimmer. Total 7.

Absent or not voting: Ainsworth, Castles. Total 2.

House Bill No. 750 was passed by the following vote:

Ayes: Baeth, Bardanouve, Baucus, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Colberg, Cotton, Driscoll, Fagg, Fasbender, Flynn, Forsgren, Galt, Hageman, Halvorson, H. Harper, R. Harper, Holmes, Huennekens, Kimble, Kolstad, Kosen, Kvaalen, Lombardi, Lucas, Lund, McKittrick, Marbut, Murphy, Norman, Regan, Roberts, Rolfe, Schepens, Selstad, Shelden, Stoltz, Towe, Turman, Turner, Watt, Mr. Speaker. Total 46.

Noes: Asbjornson, Barrett, Bell, Clemow, Cox, East, Edland, Fleming, Glennen, Greely, Gunderson, Hager, Healy, Hodges, Hubing, Jacobsen, Johnston, Jones, Kessner, Laas, Lee, Lien, Lockrem, Lundgren, Lynch, Mann, Marks, Mehrens, Menahan, Olson, Prevost, Quilici, Schye, Seifert, Smith, Staigmillier, Stephens, Swanberg, Tierney, Ulmer, Walborn, Warfield, Yardley. Total 43.

Excused: Ageson, Haines, Hall, Holtz, Kendall, Mercer, Zimmer. Total 7.

Absent or not voting: Ainsworth, Castles, Ellerd, Manuel. Total 4.

House Bill No. 882 failed to pass by the following vote:

Ayes: Baeth, Baucus, Bennetts, Bradley, Brand, Brown, Colberg, Driscoll, Edland, Fagg, Fasbender, Fleming, Greely, Gunderson, Hageman, Halvorson, H.

Harper, R. Harper, Hodges, Holmes, Huennekens, Jacobsen, Kimble, Lien, Lynch, McKittrick, Marbut, Menahan, Murphy, Norman, Quilici, Regan, Roberts, Schepens, Shelden, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Watt, Yardley, Zimmer, Mr. Speaker. Total 45.

Noes: Ageson, Asbjornson, Bardanouve, Barrett, Bell, Burnett, Campbell, Castles, Clemow, Cotton, Cox, East, Ellerd, Flynn, Forsgren, Galt, Glennen, Hager, Haines, Healy, Holtz, Hubing, Johnston, Jones, Kessner, Kolstad, Kvaalen, Laas, Lee, Lockrem, Lombardi, Lucas, Lund, Lundgren, Mann, Marks, Mehrens, Mercer, Olson, Prevost, Rolfe, Schye, Seifert, Selstad, Smith, Staigmillier, Turner, Ulmer, Walborn, Warfield. Total 50.

Paired: H. Harper, Kimble, Marbut, Turman, Zimmer, Aye; Ageson, Castles, Haines, Holtz, Mercer, Nay.

Excused: Hall, Kendall. Total 2.

Absent or not voting: Ainsworth, Kosena, Manuel. Total 3.

House Bill No. 940 was passed by the following vote:

Ayes: Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Burnett, Campbell, Clemow, Colberg, Cotton, Cox, Driscoll, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lund, Lundgren, Lynch, McKittrick, Mann, Marbut, Marks, Mehrens, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Staigmillier, Stephens, Stoltz, Swanberg, Towe, Turman, Turner, Walborn Warfield, Watt, Mr. Speaker. Total 81.

Noes: Tierney, Ulmer. Total 2.

Excused: Ageson, Haines, Hall, Holtz, Kendall, Mercer, Zimmer. Total 7.

Absent or not voting: Ainsworth, Brown, Castles, East, Lucas, Manuel, Menahan, Shelden, Smith, Yardley. Total 10.

House Bill No. 1081 was passed by the following vote:

Ayes: Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Clemow, Colberg, Cotton, Cox, Driscoll, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Huennekens, Jacobsen, Jones, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lund, Lundgren, Lynch, McKittrick, Mann, Marbut, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Selstad, Shelden, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 80.

Noes: Burnett, East, Hubing, Johnston, Marks, Schye, Seifert, Smith, Walborn. Total 9.

Excused: Ageson, Haines, Hall, Holtz, Kendall, Mercer, Zimmer. Total 7.

Absent or not voting: Ainsworth, Castles, Lucas, Manuel. Total 4.

House Joint Resolution No. 51 was passed by the following vote:

Ayes: Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lund, Lundgren, Lynch, McKittrick, Mann, Marbut, Marks, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Seifert, Selstad, Shelden, Smith, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 87.

Noes: Schye. Total 1.

Excused: Aageson, Haines, Hall, Holtz, Kendall, Mercer, Zimmer. Total 7.

Absent or not voting: Ainsworth, Castles, Ellerd, Lucas, Manuel. Total 5.

REPORTS OF STANDING COMMITTEES

February 18, 1974

I have examined House Bill No. 752 introduced by me and find the same to be correct.

TIERNEY

February 18, 1974

I have examined House Resolution No. 51 introduced by me and find the same to be correct.

EDLAND

February 18, 1974

I have examined House Bill No. 177 introduced by me and find the same to be correct.

LAAS

February 18, 1974

I have examined House Resolution No. 49 introduced by me and find the same to be correct.

EDLAND

February 18, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills considered correctly engrossed: House Bill No. 615, House Bill No. 690, House Bill No. 741, House Bill No. 790, House Bill No. 904, House Bill No. 932, House Bill No. 938, House Bill No. 939, House Bill No. 967.

QUILICI, Chairman

February 18, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly printed: House Bill No. 596, House Bill No. 776, House Bill No. 782, House Bill No. 887, House Bill No. 924, House Bill No. 975.

QUILICI, Chairman

February 18, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills and resolutions correctly enrolled: House Resolution No. 49, House Resolution No. 51, House Bill No. 177, House Bill No. 752.

QUILICI, Chairman

February 18, 1974

The following bills and resolutions will be signed at adjournment on February 18, 1974, in the office of the Speaker of the House of Representatives: House Resolution No. 49, House Resolution No. 51, House Bill No. 177, House Bill No. 752.

EDWIN A. SMITH, Chief Clerk
House of Representatives

February 15, 1974

Mr. Speaker: We, your Committee on Labor and Employment Relations, having had under consideration House Bill No. 326, respectfully report as follows: That

House Bill No. 326 be amended on page 1, lines 4 and 5 of the introduced bill by striking the numbers: "69-1501, 69-1508, 69-1509, 69-1512, 69-1601, 69-1604, 94-35-212" and inserting in lieu thereof the numbers: "69-1601, 69-1602, 69-1603, 69-1604, 69-1606, 69-1607", and

Be further amended in the title on page 1, lines 8 and 9 by striking the material: "69-1501, 69-1508, 69-1509, 69-1512, 69-1601, 69-1604 and 94-35-212, R.C.M. 1947, to upgrade", and inserting in lieu thereof the new material: "69-1601 through 69-1603, 69-1606, and 69-1607, R.C.M. 1947, relating to", and

Be further amended in the title on page 1, line 9, after the word "qualifications" by omitting the word: "for" and inserting in lieu thereof the words: "and licensing of", and

Be further amended in the title on page 1, line 10 after the word and punctuation "engineers;" by omitting the words: "to eliminate special inspectors of boilers; and to revise fees for engineer license in the State of Montana", and inserting in lieu thereof the new material: "and repealing Section 69-1604, R.C.M. 1947", and

Be further amended on page 1, after the enacting clause on line 15, by striking in their entirety, Sections 1 through 7 on pages 1 through 19 and inserting in lieu thereof the following new sections:

"Section 1. Section 69-1601, R.C.M. 1947, is amended to read as follows:

'69-1601. Operators of hoisting engines must procure licenses. (1) It [shall be] is unlawful for any person to operate any hoisting engine driven by any power when used in lowering or hoisting personnel or material, in industrial operations or on construction projects, [or any air compressor operated by any power] without first obtaining a license therefor from the [board] division as herein provided. Except that in emergencies [the provisions of section] under 69-1517 relating to the employment of unlicensed engineers, the provisions of 69-1517 shall apply to the operation of the engines and machinery named herein.

(2) First-class hoisting engineers shall be licensed to operate hoisting engines driven by any power and unlimited horsepower used in the lowering or hoisting of personnel or material, in industrial operations or on construction projects.

(3) Second-class hoisting engineers shall be licensed to operate hoisting engines driven by any power and not in excess of one hundred (100) brake horsepower used in the lowering or hoisting of personnel or material, in industrial operations or on construction projects.

The provisions of section 69-1601 shall not apply to hoists and cranes defined in section 69-1601.1.'

Section 2. There is a new section to be numbered 69-1601.1, R.C.M. 1947 which reads as follows:

69-1601.1. Crane, hoist, and air compressor licenses. (1) It shall be unlawful for any person to operate any hoisting equipment, when used in hoisting or lowering personnel or material, that has a manufacturer's rating of above six (6) tons and a boom length of more than twenty-five (25) feet without first obtaining a license from the division. Such equipment includes overhead trolley cranes used in construction only and excludes equipment with excavation attachments when in use. In emergencies, section 69-1517 relating to the employment of unlicensed engineers shall apply to the operation of the equipment named herein.

(2) Licensing shall be as follows:

(a) First-class hoisting engineers shall be licensed to operate any hoisting equipment in industrial or construction operations.

(b) An applicant for a first-class hoisting engineer's license shall have no less than three (3) years' experience operating equipment requiring a second-class hoisting engineer's license, or four (4) years' experience operating hoisting equipment covered by this section and have passed their eighteenth birthday, and passed a written test prescribed by the division. Annual physical examination required.

(c) Second-class hoisting engineers shall be licensed to operate hoisting equip-

ment used in hoisting or lowering personnel or material as follows: Second-class license shall be required to operate hoisting equipment under the above conditions on hoisting equipment with a manufacturer's rating of six (6) tons or a boom length of twenty-five (25) feet up to fifteen (15) tons rating and a boom length of up to sixty (60) feet.

(d) Applicants for a second-class hoisting engineer's license shall have no less than two (2) years' experience in actual operation of hoisting equipment covered by this section and successfully pass a written examination prescribed by the division and have passed their eighteenth birthday. An annual physical examination required.

(e) Truck crane oilers shall be licensed to move all truck cranes driven by any power and any capacity.

(f) Applicants for truck crane oiler license who successfully pass a written test prescribed by the division and who have passed their eighteenth birthday, shall be granted a third-class hoisting engineer's license.

(3) Any air compressor over two hundred fifty (250) cfm and eighty (80) psi shall require a licensed air compressor operator.

(4) The division shall re-examine each licensed engineer or operator every five (5) years during the anniversary month of his license.

Section 3. Section 69-1602, R.C.M. 1947, is amended to read as follows:

'69-1602. Application and fee for license — renewal and revocation of license. Application for [such] licenses shall be made to the [board] division in the same manner, and the same fee shall be charged [therefor] as now required by law for obtaining a license to operate steam engines, [and] boilers, [and such] steam driven machinery, or air compressors under Chapter 15 of this title. The license shall be [given] for [a period of] one (1) year from the date of issuance [thereof], and may be renewed in the same manner provided by law for the renewal of a license to operate [steam engines or] boilers[;], [provided, that the board] steam engines, steam driven machinery, or air compressors. The division shall have the right to revoke any license issued under the provisions of this act for any of the reasons for which the [board] division could revoke a license to operate [steam engines and] boilers[;], steam engines, steam driven machinery, or air compressors.'

Section 4. Section 69-1603, R.C.M. 1947, is amended to read as follows:

'69-1603. Scope of license — exemptions. (1) A license granted under the provisions of this act [shall entitle] entitles the holder [thereof] to operate any of the machinery named in [section] sections 69-1601 and 69-1601.1, and the license shall specify [on its face such machinery,] that machinery, but no license issued [hereunder] shall authorize or qualify the person to whom issued to operate a boiler, [or] steam engine, steam driven machinery, or air compressor.

(2) The provisions of this act shall not apply to hoisting engines or elevators under federal control or to operating elevators in completed private or public buildings.'

Section 5. Section 69-1606, R.C.M. 1947, is amended to read as follows:

'69-1606. Renewal of application by rejected candidate. Any person who has [regularly] applied for a license under [the provisions of] this act and has been rejected, may renew his application for [such] the license within the time and in the manner prescribed in sections 69-1513 and 69-1514.'

Section 6. Section 69-1607, R.C.M. 1947, is amended to read as follows:

'69-1607. Penalty for operating machinery without license. (1) [Every] A person who operates any of the engines [and] or machinery named in [section] sections 69-1601 and 69-1601.1 requiring a license [is required], without first obtaining [a] the license [as required by the provisions of this act, and every]; or, (2) Any owner, employer, or manager of any [such] engines or machinery who permits any unlicensed person to operate [the same, or any] them; or, (3) Any person who violates any of the provisions of this act[;], shall be [deemed guilty of a misdemeanor, and] upon conviction [thereof shall be punished by a fine of] fined not more than five

hundred dollars (\$500), or [by imprisonment] imprisoned in the county jail not more than six (6) months, or [by] both [such fine and imprisonment].'

Section 7. There is a new section to be numbered 69-1608, R.C.M. 1947, which reads as follows:

69-1608. Crane inspector. The division shall employ at least one (1) crane inspector. He shall hold a first class hoisting engineer's license under 69-1601.1 for one (1) year and have three (3) years' experience operating cranes.

Section 8. Grandfather clause for one (1) year. A person holding a valid license under this act at the time of its effective date, may renew it for one (1) year under the provisions of the old law. Thereafter, all applicants for new licenses or lapsed licenses shall comply with the provisions of this act.

Section 9. Section 69-1604, R.C.M. 1947, is repealed.", and

As amended, do pass.

(Material in brackets denotes cancelled type.)

McKITTRICK, Chairman

Report adopted.

February 18, 1974

Mr. Speaker: We, your Committee on Natural Resources, having had under consideration House Bill No. 875, respectfully report as follows: That House Bill No. 875 be amended in the introduced bill as follows:

Amend on page 1, title, line 8 by striking the words: "moratorium on" and inserting in lieu thereof the words: "suspension of critical rural", and

Be further amended on page 1, title, lines 9, 10 and 11 by striking the words: "until the State of Montana has adopted long-range goals concerning land use and economic and population growth and completed" and inserting in lieu thereof the following words and punctuation: ", with provision for exemptions, until July 1, 1976; providing for the compilation of", and

Be further amended on page 1, title, line 12 by striking the words: "with the identification of" and inserting in lieu thereof the word: "identifying", and

Be further amended on page 1, title, lines 13, 14 and 15 by striking the following words and punctuation: "and until legislation for the protection of such areas has been enacted by the Montana legislature," and inserting in lieu thereof a semicolon ";", and

Be further amended on page 1, Section 2, line 21 by striking the word: "unplanned" and inserting the word: "uncontrolled", and

Be further amended on page 2, Section 2, lines 10 and 11, by striking the words: "with the identification and protection of" and inserting the word: "identifying", and

Be further amended on page 2, Section 2, lines 18 and 19 by striking the words: "as well as" and inserting in lieu thereof the punctuation and word: ", and", and

Be further amended on page 2, Section 2, line 23 by striking the words: "regulations pursuant to" and inserting in lieu thereof the words: "the provisions of", and

Be further amended on page 2, Section 2, line 24 after the words and punctuation: "plating act," by inserting the word: "but", and

Be further amended on page 2, Section 2, line 25 by striking the words: "moratorium on" and inserting in lieu thereof the words: "suspension of critical", and

Be further amended on page 3, Section 2, by striking in its entirety lines 1 through the word and punctuation: "goals;" on line 4 and inserting in lieu thereof the words: "completion of", and

Be further amended on page 3, Section 2, lines 5, 6 and 7 by striking the words: "which identifies environmentally critical areas and the enactment of legislation to protect such areas" and inserting in lieu thereof the words: "prior to July 1, 1976", and

Be further amended on page 3, Section 3, Subsection (1), line 11, by striking the words: "Environmentally critical areas" and inserting in lieu thereof the words: "Area of critical environmental concern", and

Be further amended on page 4, Section 3, Subsection (1) (g), by striking the word: "sites" and inserting in lieu thereof the word: "areas", and

Be further amended on page 4, Section 3, Subsection (3), line 9 by striking the word: "Moratorium" and inserting in lieu thereof the word: "Suspension"; and after the words: "prohibition of" by inserting the word: "critical", and

Be further amended on page 4, Section 3, Subsection (3), line 10 after the word: "Montana" by striking all the words and punctuation through the word: "moratorium" on line 12 and inserting in lieu thereof the following: "until July 1, 1976. Unless the method of disposition is adopted for the purpose of evading this act, such suspension", and

Be further amended on page 4, Section 3, Subsection (3) (a), line 15 after the word: "within" by inserting the following: "the boundaries of, and within an area not to exceed", and

Be further amended on page 4, Section 3, Subsection (3) (a), lines 17, 18 and 19 by striking this material in its entirety and inserting in lieu thereof the punctuation and word: "; or", and

Be further amended on page 4, Section 3, Subsection (3) (b), lines 20 through 23 by striking the material contained therein in its entirety and inserting in lieu thereof the following new sub-subsections:

"(b) divisions made by sale, lease or agreement to buy and sell where the parties to the transaction enter a covenant running with the land and revocable only by the mutual consent of the governing body and the property owner that the divided land will be used exclusively for agricultural purposes as defined in section 84-437.2, R.C.M. 1947; or

(c) divisions of land, other than classes one (1) through four (4) agricultural land as classified by the county assessor in each county, into not more than five (5) parcels totaling not more than two hundred forty (240) acres. This exception shall be used only once by any person; or

(d) divisions made for the purpose of relocating common boundary lines between adjoining property; or

(e) divisions made for the purpose of a gift or sale to any member of the landowner's immediate family.", and

Be further amended on pages 4 and 5, Section 3, Subsection (4), lines 24 and 25 on page 4, and 1 through 4 on page 5, by striking everything following the subsection number (4) and inserting in lieu thereof the following new Subsection (4): "'Critical rural subdivision' means a division of land into two (2) or more parcels all of which are larger than the maximum sized parcel that is defined in section 69-5002 or section 11-3861, R.C.M. 1947, in order that the title to or possession of the parcels may be sold, rented, leased, or otherwise conveyed, and shall include any resubdivision.", and

Be further amended on page 5, Section 4, line 5 by striking the words and punctuation: "Minimum planning requirements." and inserting in lieu thereof the following: "Statewide land and water resource inventory. (1)", and

Be further amended on page 5, Section 4, line 6 by striking the words: "moratorium on" and inserting in lieu thereof the words: "suspension of critical", and

Be further amended on page 5, Section 4 following the word: "until" on line 7 through the word: "act" on line 24 by striking all this material in its entirety and

inserting in lieu thereof the following: "July 1, 1976. Prior to March 1, 1976," and

Be further amended on page 6, Section 4, line 2 after the word: "game" by striking the word: "and" and inserting in lieu thereof a comma ","; and further amend on line 2 by striking the word: "to" and inserting in lieu thereof the following material: "the department of health and environmental sciences, the department of agriculture, the department of livestock and the department of intergovernmental relations. The director of the department of intergovernmental relations shall be responsible for coordinating the activities of the seven (7) departments responsible for compiling the statewide land and water resource inventory. The statewide land and water resource inventory shall", and

Be further amended on page 6, Section 4, line 6 by striking the word, punctuation and figure: "three (3)" and inserting in lieu thereof the following: "seven (7)", and

Be further amended on page 6, Section 4, line 8 by striking the word: "with"; and further amend on line 8 by striking the word: "program" and inserting in lieu thereof the word: "programs", and

Be further amended on page 6, Section 4, lines 12 and 13 by striking the words: "in regard to public notice and the opportunity for public hearings", and

Be further amended on page 7, Section 4, Subsection (3), lines 2 through 8 by striking this material in its entirety and inserting in lieu thereof a new Subsection (2) to read as follows:

"(2) Prior to March 1, 1976, the statewide land and water resource inventory shall be presented to the state department responsible for administering Montana's critical areas legislation for consideration under the provisions of that critical areas legislation. If no critical areas legislation has been enacted prior to March 1, 1976, the statewide land and water resource inventory shall be presented to the governor and the governor shall direct all state agencies to implement, insofar as practicable under existing law, a procedure for protecting areas identified as areas of critical environmental concern under the provisions of this act.", and

Be further amended on page 7, Section 5, lines 9, 10 and 11 by striking the following material: "Until all of the minimum planning requirements described in section 4 of this act have been met, no" and inserting in lieu thereof the following material: "State and local governing bodies prohibited from approving critical rural subdivisions prior to July 1, 1976. No", and

Be further amended on page 7, Section 5, line 12 following the word: "proposed" by inserting the words: "critical rural", and

Be further amended on page 7, Section 5, line 13 by striking the word: "moratorium" and inserting in lieu thereof the word: "suspension", and

Be further amended on page 7, Section 5, line 14 following the word: "proposed" by inserting the words: "critical rural", and

Be further amended on pages 7 and 8, Section 6, lines 19 through 24 on page 7 and 1 through 8 on page 8 by striking this material in its entirety (which is all of Section 6) and inserting a new Section 6 which will read as follows:

"Section 6. Exemptions. (1) A subdivider or his agent may apply to the local governing body and to the department of health and environmental sciences for an exemption from the provisions of this act if the following conditions are met:

(a) The subdivider must demonstrate a compelling public necessity for the subdivision, including proof that the proposed subdivision is needed to meet essential primary housing needs; and

(b) The proposed subdivision does not encompass land which has been classified class one (1) through four (4) agricultural land by the county assessor of a county; and

(c) The governing body has appointed and there is in existence a county planning board.

(2) The local governing body and the department of health and environmental sciences shall conduct a public hearing, either jointly or separately, on each exemption request. If the proposed subdivision falls within the jurisdiction of both of the above-named agencies the granting of an exemption shall be contingent on the approval of both agencies. The subdivider need not apply to the department of health and environmental sciences if the proposed subdivision is outside of the jurisdiction of the department as provided in section 69-5002.", and

As amended, do pass.

SHELDEN, Chairman

Report adopted.

February 18, 1974

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 1024, respectfully report as follows: That House Bill No. 1024 be amended as follows:

NOTE: All amendments pertain to the introduced copy of House Bill No. 1024.

Be amended on page 1, line 13 after the material "Montana:" by adding a new Section 1 to read as follows: "Section 1. This act shall be known and may be cited as 'The Montana Privacy Act'", and renumber subsequent sections to conform numerically, and

Be further amended on page 3, present Section 2, Subsection (a), line 2 after the material "given by" by striking the material "a proper" and inserting in lieu thereof the new material "an adult", and

Be further amended on page 3, present Section 2, Subsection (d), line 22 after the material "claim." by inserting the new material "A tenant shall not unreasonably withhold consent to exhibit the premises.", and

Be further amended on page 4, present Section 2, Subsection (f), line 3 after the material "injury." by adding a new Subsection (g) to read as follows: "(g) By any employee or agent of a business regulated under the provisions of title 70 of the R.C.M. 1947, when acting in compliance with any rule, regulation or order pronounced or authorized by the public service commission pursuant to the provisions of title 70 of the Revised Codes of Montana.", and

Be further amended on page 4, present Section 3, Subsection (i), line 16 after the word "user" by striking the material "by a communications common carrier in the ordinary course of its business" and inserting in lieu thereof the new material "for ordinary telephone or telegraph use", and

Be further amended on page 6, present Section 3, Subsection (b), line 20 after the word "communication" by inserting the new material "with respect to the interception, disclosure, or use of that communication", and

Be further amended on page 7, present Section 3, Subsection (b), line 4 after the material "monitoring," by inserting the new material "except phone communication to or from said telephone company", and

Be further amended on page 7, present Section 3, Subsection (b), line 13 after the material "purpose." by inserting the new material "Such report may include, for the purposes of service quality control of phone communications to or from telephone companies only, a summary estimate of the total number of observations.", and

Be further amended on page 7, present Section 3, Subsection (b), line 14 after the material "public." by adding a new Subsection (c) to read as follows: "(c) With regard to the existence of wire communications only, to properly authorized persons connected with the function of billing or allocation of charges made for such services.", and relettering subsequent subsections to conform alphabetically, and

Be further amended on page 8, present Section 3, Subsection (6), line 13 after the material "client," by striking the material "a social worker and his client,", and

Be further amended on page 8, present Section 3, Subsection (7), line 16 after the material "client," by striking the material "and any other professional person and his client or other person who seeks professional advice", and

Be further amended on page 8, present Section 3, Subsection (7), line 22 after the word "by" by striking the word "the" and inserting in lieu thereof the new material "such", and

Be further amended on page 9, present Section 3, Subsection (4)(c), line 2 after the word "employees" by striking the material ", secretaries, and other persons", and

Be further amended on page 9, present Section 3, Subsection (8), line 23 after the word "any" by striking the word "civil", and

Be further amended on page 9, present Section 3, Subsection (8), line 23 after the word "involving" by striking the material "different members of the same family on opposite sides of the lawsuit" and inserting in lieu thereof the new material "a complaint by one member of the family and participant in the communication against another such member and participant including a criminal complaint made on behalf of one or more such members and participants", and

Be further amended on page 11, present Section 4, Subsection (c), line 4 after the word "film" by inserting the new material ", or other storage devices connected to a computer system, and readily accessible", and

Be further amended on page 11, present Section 4, Subsection (d), line 7 after the word "Montana" by inserting the new material ", its departments", and

Be further amended on page 11, present Section 4, Subsection (d), line 7 after the material "and its" by striking the word "various", and

Be further amended on page 11, present Section 4, Subsection (d), line 8 after the word "their" by striking the word "various", and

Be further amended on page 14, present Section 4, Subsection (o), line 4 after the word "license" by inserting the new material "or certificate of authority", and

Be further amended on page 16, present Section 4, Subsection (b), line 13 after the word "examination" by striking the punctuation mark ";" and inserting in lieu thereof the punctuation mark ".", and

Be further amended on page 17, present Section 4, Subsection (7), line 9 after the word "Schedule" by striking the material "without first having published" and inserting in lieu thereof the new material "unless such tests are used only for statistical purposes and the results are not individually identifiable", and

Be further amended on page 19, present Section 4, line 3 after the material "job," by adding new Subsections (e) and (f) to read as follows: "(e) an employer or other organization administering a pension plan, or other plan for the benefit of the employee or his family, to the extent necessary to carry out the purpose of the plan, (f) an employer obtaining information necessary to comply with the requirements of federal law," and reletter subsequent subsection to conform alphabetically, and

Be further amended on page 20, present Section 4, Subsection (11), line 4 after the word "justice" by inserting the new material "except while the arrest is reasonably contemporaneous, such information may be released to the news media", and

Be further amended on page 20, present Section 4, Subsection (11), line 16 after the word "or" by inserting the new word "unconditional", and

Be further amended on page 22, present Section 4, Subsection (14), line 3 after the word "any" by inserting the new material "political", and

Be further amended on page 22, present Section 4, Subsection (14), line 3 after the word "meeting" by striking the material "unless surveillance was authorized by court order as set forth in subdivision (12) herein and then the only information that may be kept is that minimal information identifying the person with whom they came in contact which may be essential for the accuracy and utility of the report", and

Be further amended on page 22, present Section 4, Subsection (15), line 19 after the word "system" by inserting the new material "provided, however, that any person may transfer such data to an automated personal data system for the purpose of assisting in the collection of any debt outstanding and unpaid upon the effective date of this act", and

Be further amended on page 24, present Section 4, Subsection (15), line 2 after the word "transfer" by inserting the new material "provided, however, any organization which is required by federal law to transfer such data to a federal agency or which is required or specifically permitted by federal law to receive such data from a federal agency may do so, and further, the department of revenue may receive such data from the federal internal revenue service in connection with their function of collecting taxes without violating this safeguard, and provided further that any person may transfer such data to another system for the purpose of assisting in the collection of any money debt outstanding and unpaid upon the effective date of this act", and

Be further amended on page 24, present Section 4, Subsection (15), line 25 after the material "to make" by striking the material "fully documented" and inserting in lieu thereof the new word "sufficient", and

Be further amended on page 24, present Section 4, Subsection (15), line 25 after the word "available" by striking the material "for independent analysis" and inserting in lieu thereof the new material "along with sufficient information to permit reconstruction of the conditions and suppositions under which the data were collected necessary to allow an independent analysis", and

Be further amended on page 30, present Section 4, Subsection (17), line 22 after the material "legislature," by inserting the new material "or by the department of business regulation when the legislature is not in session subject to ratification in the next session of the legislature.", and

Be further amended on page 30, present Section 4, Subsection (17), line 19 after the word "Act," by inserting the new material "or other appropriate payroll function.", and

Be further amended on page 31, present Section 5, Subsection (1), line 8 after the word "action" by striking the material "calculated to" and inserting in lieu thereof the new word "which", and

Be further amended on page 31, present Section 5, Subsection (1), line 8 after the word "to" by adding an "s" to the word "interfere", and

Be further amended on page 31, present Section 5, Subsection (c), line 19 after the word "material" by striking the material "attempting to persuade married persons to have fewer children" and inserting in lieu thereof the new material "relating to the above matters", and

Be further amended on page 32, present Section 6, line 9 after the material "Penalties." by striking the material "(a)" and inserting in lieu thereof the new material "(1)", and

Be further amended on page 32, present Section 6, line 14 after the word "under" by striking the material "sections 3 and" and inserting in lieu thereof the word "section", and

Be further amended on page 34, present Section 1, line 11 after the word "Section" by striking the material (1) and inserting in lieu thereof the new material "8", and

Be further amended on page 34, present Section 2, line 17 after the word "Section" by striking the material "2" and inserting in lieu thereof the new material "9", and

As amended, do pass.

YARDLEY, Vice-Chairman

Report adopted.

February 15, 1974

Mr. Speaker: We, your Committee on Labor and Employment Relations, having had under consideration House Bill No. 1032, respectfully report as follows: That House Bill No. 1032 be amended on page 2, Section 2, Subsection (3), line 6 of the introduced bill after the word: "toward" by adding the word: "a", and

Be further amended on page 2, Section 2, Subsection (3), line 6 after the word: "toward" by omitting the word: "degrees" and inserting in lieu thereof the word: "degree", and

Be further amended on page 2, Section 2, Subsection (3), line 6 after the word: "at" by omitting the words: "any of", and

Be further amended on page 2, Section 2, Subsection (3), line 7 after the word: "institution" by adding the new material: "of their employment", and

Be further amended on page 3, Section 2, after Subsection (8) on line 4 by adding a new Subsection (9) to read as follows: "(9) 'Department of Labor' means the Montana State Department of Labor.", and

Be further amended on page 3, line 5 after the word: "Section" by omitting the number "4" and inserting in lieu thereof the number "3", and

Be further amended on page 3, line 19 after the word: "Section" by omitting the number "5" and inserting in lieu thereof the number "4", and

Be further amended on page 5, Section 5, Subsection (c), line 7 after the word and punctuation: "dues;" by adding the new material: "No public employee who is a member of a bona fide religious sect, or division thereof, the established and traditional tenets or teachings of which oppose a requirement that a member of such sect or division join or financially support any labor organization, may be required to join or financially support any labor organization as a condition of employment, if such public employee pays, in lieu of periodic union dues, initiation fees, and assessments, at the same time or times such periodic union dues, initiation fees, and assessments would otherwise be payable, a sum of money equivalent to such periodic union dues, initiation fees, and assessments, to a nonreligious, nonunion charity designated by the labor organization. Such public employee shall furnish to such labor organization written receipts evidencing such payments and failure to make such payments or furnish such receipts shall subject the employee to the same sanctions as would nonpayment of dues, initiation fees or assessments under the applicable collective bargaining agreement.

A public employee desiring to avail himself or herself to the right of nonassociation with a labor organization as provided in this subsection shall make written application to the chairman of the board of personnel appeals. Within ten (10) days of the date of receipt of such application, the chairman shall appoint a committee of three (3) consisting of a clergyman not connected with the sect in question, a labor union official not directly connected with the labor organization in question and a member of the public at large, who shall be the chairman. The committee shall, within ten (10) days of the date of its appointment, meet at the locale of either the employee's residence or place of employment and, after receiving written or oral presentations from all interested parties, determine by a majority vote whether or not such public employee qualifies for the right of nonassociation with such labor organization. The committee's decision shall be made in writing within three (3) days of the meeting date and a copy thereof shall be forthwith mailed to such public employee, labor organization and the chairman of the board of personnel appeals.", and

Be further amended on page 6, after line 16 by omitting Section 6 on lines 17 through 25 in its entirety, and

Be further amended by renumbering the subsequent sections to conform numerically, and

Be further amended on page 10, Section 9, Subsection (b), line 19 after the word: "unit" by omitting the punctuation and word: ". The" and inserting in lieu thereof the punctuation and word: ", the", and

Be further amended on page 10, Section 9, Subsection (b), lines 21 and 22, after

the word: "direct" by omitting the words and figures: "two (2) elections" and inserting in lieu thereof the words: "that an election", and

Be further amended on page 10, Section 9, Subsection (b), line 22 after the word: "ballot" by adding the words: "be held by the department of labor", and

Be further amended on page 10, Section 9, Subsection (b), line 23 after the word: "sought" by omitting the period and word: ". The" and inserting in lieu thereof the new material: "and if such election so determines, the board shall direct that a", and

Be further amended on page 10, Section 9, Subsection (b), line 23 after the word: "shall" by adding the new material: "to be held by the department of labor within thirty (30) days to", and

Be further amended on page 13, Section 11, Subsection (4), line 1 after the word: "The" by omitting the words: "cost of" and inserting in lieu thereof the words: "expenses of the", and

Be further amended on page 13, Section 11, Subsection (4), line 1 after the word: "finding" by adding the word: "panel", and

Be further amended on page 13, Section 11, Subsection (6), line 8 after the word: "the" by omitting the words: "cost of arbitration", and inserting in lieu thereof the words: "arbitrators' fees and expenses", and

As amended, do pass.

McKITTRICK, Chairman

Report adopted.

February 18, 1974

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 1047, respectfully report as follows: That House Bill No. 1047 be amended as follows:

Be amended in the title on page 1, line 7, after the word "authority" by omitting the words "and the duty", and

Be further amended in the title on page 1, line 8, after the word "through", by omitting the words "revisions of" and inserting in lieu thereof the words "a study of", and

Be further amended in the title on page 1, line 9, after the word and punctuation "classifications;" by omitting the word "directing" and inserting in lieu thereof the words "and permitting", and

Be further amended in the title on page 1, line 9, after the word "to" by omitting the word "revise" and inserting in lieu thereof the words "issue orders regarding the structure of", and

Be further amended in the title on page 1, lines 10 and 11, by omitting the following material: ", and providing an effective date", and

Be further amended on page 1, Section 2, line 21, by omitting the word "exploited" and inserting in lieu thereof the word "used", and

Be further amended on page 2, Section 2, line 6, by omitting the word "restructure" and inserting in lieu thereof the words "study the possibility of restructuring", and

Be further amended on page 2, Section 3, line 12, before the word "prescribe" by omitting the word "shall" and inserting in lieu thereof the word "may", and

Be further amended on page 2, Section 3, line 13, before the word "take" by omitting the word "shall" and inserting in lieu thereof the word "may", and

Be further amended on page 2, Section 3, line 15, after the word and punctuation "used," by inserting the following material: "and any other reasonable consideration.", and

Be further amended on page 2, Section 3, beginning with the word "the" on line 15 and continuing through the word "demand" on page 3, line 11, by omitting all the material contained therein and inserting in lieu thereof the following material: "The commission may, upon completing a study of rate structures under section 70-115.1, issue an order prescribing principles for the design of rate structures if the study finds that such an order would be in the public interest.", and

Be further amended on page 3, Section 3, line 14, after the word "classifications" by inserting the following words "and orders", and

Be further amended on page 3, Section 4, line 15, after the material "Section 4." by inserting the following material: "There is a new section, to be numbered 70-115.1, R.C.M. 1947, which reads as follows: 70-115.1", and

Be further amended on page 3, Section 4, line 15, after the word "Study" by omitting the words "and order for" and inserting in lieu thereof the word "of", and

Be further amended on page 3, Section 4, line 19, after the word "this" by inserting the word "initial", and

Be further amended on page 3, Section 4, line 20, after the word "act" by inserting the following material: ", or as soon thereafter as is practicable", and

Be further amended on page 3, Section 4, beginning with the word "Among" on line 25, and continuing through the word and punctuation "demand." on page 4, line 5, by omitting all the material contained therein, and

Be further amended on page 4, Section 4, after the material "consumption," on line 2 and continuing through the material "consumed," on line 4, by omitting all the material contained therein, and

Be further amended on page 4, Section 4, line 6, by omitting the word "implement" and inserting in lieu thereof the words "make findings as to", and

Be further amended on page 4, Section 4, beginning with the word "This" on line 9 and continuing through the word and punctuation "utilities." on line 14, by omitting all the material contained therein, and

Be further amended on page 4, Section 4, beginning with the word "subject" on line 17, and continuing through the word and punctuation "affected." on page 5, line 1, by omitting all the material contained therein, and

Be further amended on page 5, lines 2 and 3, by omitting Section 6 in its entirety, and

As amended, do pass.

MEHRENS, Chairman

Report adopted.

February 15, 1974

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 1062, respectfully report as follows: That House Bill No. 1062 be amended on page 2, Section 1, lines 8 and 9, by omitting the following material: "automobile and casualty insurance" and inserting in lieu thereof the material: "insurance relating to automobiles", and

As amended, do pass.

MEHRENS, Chairman

Report adopted.

February 18, 1974

Mr. Speaker: We, your Committee on Labor and Employment Relations, having had under consideration House Bill No. 1099, respectfully report as follows: That House Bill No. 1099 be amended on page 1, line 4 of the introduced bill by omitting the numbers and punctuation: "92-701.1", and

Be further amended in the title on page 1, line 7 by omitting the numbers and punctuation: "92-701.1," and

Be further amended in the title on page 1, lines 8 and 9 by omitting the words and punctuation: "temporary and total disability," and

Be further amended in the title on page 1, line 10 by omitting the first word: "deleting" and inserting in lieu thereof the word: "adjusting", and

Be further amended on page 1, lines 15 through 25 and page 2, lines 1 through 8 by omitting Section 1 in its entirety, and

Be further amended by renumbering the subsequent sections to conform numerically, and

Be further amended on page 2, Section 2, line 19 after the material: "disability." by inserting the following new paragraph: "In cases where it is determined that periodic benefits granted by the Social Security Act, 42 U.S.C. 301 (1935), are payable because of the injury, the weekly benefits payable under this section are reduced, but not below zero (0), by an amount equal, as nearly as practical, to one-half ($\frac{1}{2}$) the federal periodic benefits for such week.", and

McKITTRICK, Chairman

Report adopted.

February 18, 1974

Mr. Speaker: We, your Committee on Rules, having had under consideration House Joint Resolution No. 81, respectfully report as follows: That House Joint Resolution No. 81 do pass.

FASBENDER, Chairman

Report adopted.

MESSAGE FROM THE OTHER HOUSE

February 18, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day authorized the President to appoint a Conference Committee to meet with a like committee from the House to confer on Senate amendments to House Bill No. 654.

The President appointed the following members:

Senator Zody, Chairman

Senator Vainio

Senator McNamer

Respectfully yours,

JOHN N. HANSON

Secretary of the Senate

MOTIONS

Yardley moved that House Joint Resolution No. 82 be taken from the Committee on State Administration and referred to the Committee on Judiciary.

Motion carried.

Fasbender moved that the House adjourn until 1:30 p.m., February 19, 1974.

Motion carried.

House adjourned.

HAROLD E. GERKE, Speaker

EDWIN A. SMITH, Chief Clerk

THIRTY-EIGHTH LEGISLATIVE DAY

Helena, Montana
February 19, 1974

House Chambers
Capitol Building

House convened at 1:30 p.m., Mr. Speaker in the Chair.

Invocation by the Chaplain.

Pledge of Allegiance to the Flag.

Roll call. All members present except Clemow, Haines, Hall, Holtz, Mercer, and Zimmer, all excused.

Quorum present.

Mr. Speaker: We, your Committee on Bills and Journal, having examined the daily journal for the Thirty-seventh Legislative Day, find the same to be correct.

QUILICI, Chairman

REPORTS OF STANDING COMMITTEES

February 19, 1974

I have examined House Bill No. 763 introduced by me and find the same to be correct.

FASBENDER

February 19, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills and resolution correctly printed: House Bill No. 371, House Bill No. 767, House Bill No. 783, House Bill No. 805, House Bill No. 890, House Bill No. 900, House Joint Resolution No. 81.

QUILICI, Chairman

February 19, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: House Bill No. 305, House Bill No. 550, House Bill No. 949, House Bill No. 991, House Bill No. 1003.

QUILICI, Chairman

February 19, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill correctly enrolled: House Bill No. 763.

QUILICI, Chairman

February 19, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills and resolution considered correctly engrossed: House Bill No. 910, House Bill No. 974, House Bill No. 1007, House Bill No. 1035, House Bill No. 1066, House Bill No. 1074, House Joint Resolution No. 58.

QUILICI, Chairman

February 19, 1974

The following bills and resolution will be signed at adjournment on February 19, 1974, in the office of the Speaker of the House of Representatives: House Bill No. 763, Senate Bill No. 490, Senate Bill No. 548, Senate Bill No. 552, Senate Joint Resolution No. 43.

EDWIN A. SMITH, Chief Clerk

House of Representatives

February 19, 1974

The following bills and resolutions were signed in the office of the Speaker of the House of Representatives on February 18, 1974: House Resolution No. 49, House Resolution No. 51, House Bill No. 177, House Bill No. 752.

EDWIN A. SMITH, Chief Clerk
House of Representatives

February 19, 1974

Mr. Speaker: We, your Committee on Education, having had under consideration House Bill No. 620, respectfully report as follows: That introduced House Bill No. 620 do pass.

GUNDERSON, Chairman

Report adopted.

February 19, 1974

Mr. Speaker: We, your Committee on Local Government, having had under consideration House Bill No. 864, respectfully report as follows: That House Bill No. 864 be amended on page 2, introduced bill, lines 14 and 15 by striking the words and numbers: "one hundred fifty dollars (\$150)" and inserting in lieu thereof: "two hundred dollars (\$200)", and

Be further amended on page 4, introduced bill, lines 1 and 2 by striking the words and numbers: "one hundred fifty dollars (\$150) and inserting in lieu thereof: "two hundred dollars (\$200)", and

Be further amended on page 5, line 17, introduced bill, by striking the words and numbers: "one hundred fifty dollars (\$150)" and inserting in lieu thereof: "two hundred dollars (\$200)", and

As amended, do pass.

KOSENSA, Chairman

Report adopted.

February 18, 1974

Mr. Speaker: We, your Committee on Natural Resources, having had under consideration House Bill No. 892, respectfully report as follows: That House Bill No. 892 do not pass.

SHELDEN, Chairman

February 18, 1974

Mr. Speaker: We, your Committee on Natural Resources, having had under consideration House Bill No. 996, respectfully report as follows: That House Bill No. 996 do not pass.

SHELDEN, Chairman

February 18, 1974

Mr. Speaker: We, your Committee on Natural Resources, having had under consideration House Bill No. 1006, respectfully report as follows: That House Bill No. 1006 do not pass.

SHELDEN, Chairman

February 18, 1974

Mr. Speaker: We, your Committee on Natural Resources, having had under consideration House Bill No. 1018, respectfully report as follows: That House Bill No. 1018 be amended in the introduced bill as follows:

Be amended on page 4, Section 3, Subsection (10), line 7 by striking Subsection (10) in its entirety, and

Be further amended on page 6, Section 5, following Subsection (5), after line 16 by adding a new Subsection (6) to read as follows: "(6) The order designating an area of critical concern shall be effective no longer than three (3) years pending approval by the legislature. The legislature, in its approval, may, by joint resolution amend or repeal specific state or local regulations adopted pursuant to this act for each area of critical concern.", and

As amended, do not pass.

SHELDEN, Chairman

February 19, 1974

Mr. Speaker: We, your Committee on Education, having had under consideration Senate Bill No. 474, respectfully report as follows: That Senate Third Reading Bill No. 474 be concurred in.

GUNDERSON, Chairman

Report adopted.

February 19, 1974

Mr. Speaker: We, your Committee on Education, having had under consideration Senate Bill No. 588, respectfully report as follows: That Senate Third Reading Bill No. 588 be concurred in.

GUNDERSON, Chairman

Report adopted.

February 19, 1974

Mr. Speaker: We, your Committee on Education, having had under consideration Senate Bill No. 660, respectfully report as follows: That Senate Second Reading Bill No. 660 be amended as follows:

Amend the second reading bill, Section 1, page 2, line 19 following the under-scored word: "shall" by inserting the word: "not", and

Be further amended in Section 1, page 2, line 20 after the word and punctuation: "purposes." by inserting the following new material: "If a student spends half or more of his time in school in the regular program and the balance of his time in the special education program he shall be considered regularly enrolled for ANB purposes.", and

As amended, be concurred in.

GUNDERSON, Chairman

Report adopted.

February 19, 1974

Mr. Speaker: We, your Committee on Education, having had under consideration Senate Bill No. 661, respectfully report as follows: That Senate Third Reading Bill No. 661 be amended in Section 1, page 2, line 14 by omitting the word: "preceding" and inserting in lieu thereof the word: "current", and

Be further amended in Section 1, page 2, line 17 by omitting the word: "preceding" and inserting in lieu thereof the word: "current", and

Be further amended in Section 1, page 3, line 1 by omitting the word: "preceding" and inserting in lieu thereof the word: "current", and

Be further amended in Section 1, page 3, line 3 after the word and punctuation: "teachers," by inserting the following material: "regular program teachers," and

Be further amended in Section 1, page 3, line 14 by omitting the word: "preceding" and inserting in lieu thereof the word: "current", and

Be further amended in Section 1, page 3, line 18 by omitting the word: "preceding" and inserting in lieu thereof the word: "current", and

Be further amended in Section 1, page 4, line 7 by omitting the word: "preceding" and inserting in lieu thereof the word: "current", and

Be further amended in Section 1, page 5, line 4 by omitting the word: "preceding" and inserting in lieu thereof the word: "current", and

Be further amended in Section 1, page 5, line 9 by omitting the word: "previous" and inserting in lieu thereof the word: "current", and

Be further amended in Section 1, page 5, line 17 by omitting the word: "operation" and inserting in lieu thereof the word: "maintenance", and

Be further amended in Section 1, page 5, line 18 by omitting the word: "previous" and inserting in lieu thereof the word: "current", and

Be further amended in Section 1, page 5, line 24 by omitting the word: "preceding" and inserting in lieu thereof the word: "current", and

Be further amended in Section 1, page 6, line 3 by omitting the word: "preceding" and inserting in lieu thereof the word: "current", and

Be further amended in Section 1, page 6, lines 8 through 12 by omitting the following material: "the actual total cost when used exclusively for special programs, or a portion of the total cost when shared with regular programs, to be prorated based on the amount of building space used by each type of program", and inserting in lieu thereof the following new material: "no such costs may be charged to the special program without specific authorization from the superintendent of public instruction unless the land and buildings are shared between the special and regular pupils, and the amount of the total cost that may be charged to the special program may not exceed whatever proportion the number of special full-time pupils are to the total enrollment of the school district of the previous year. Provided, however, that any school district renting land and buildings for special education purposes prior to the 1974-75 school year is not subject to this requirement, and will charge a portion of the total cost when shared with regular programs, to be prorated based on the amount of building space used by each type of program"; and

Be further amended in Section 1, page 6, line 16 by omitting the word: "previous" and inserting in lieu thereof the word: "current", and

Be further amended in Section 1, page 6, line 23 by omitting the word: "preceding" and inserting in lieu thereof the word: "current", and

Be further amended in Section 1, page 7, line 6 by omitting the word: "preceding" and inserting in lieu thereof the word: "current", and

Be further amended in Section 1, page 7, line 18 by omitting the word: "preceding" and inserting in lieu thereof the word: "current", and

As amended, be concurred in.

GUNDERSON, Chairman

Report adopted.

February 19, 1974

Mr. Speaker: We, your Committee on Education, having had under consideration Senate Bill No. 662, respectfully report as follows: That Senate Third Reading Bill No. 662 be amended in Section 1, Subsection (c), page 10, line 11 after the word: "superintendent" by inserting the words: "of public instruction", and

Be further amended in Section 1, Subsection (c), page 10, line 15 after the word: "for" by omitting the words: "accounting purposes" and inserting in lieu thereof the words: "current year special education program", and

Be further amended in Section 1, Subsection (c), page 10, line 15 after the word: "purposes.", by inserting the following new material: "The total amount of allow-

able costs that are approved for the special education budget shall not, under any condition, be less than the maximum-budget-without-a-vote amount for one regular ANB for each special full-time pupil in the school district.", and

Be further amended in Section 1, Subsection (c), page 10 by omitting lines 16 through 25 in their entirety, and

Be further amended in Section 1, Subsection (21), page 11, line 7 after the figures and punctuation: "75-6723(5)," by omitting the word: "excess" and inserting in lieu thereof the word: "allowable", and

Be further amended in Section 1, Subsection (21), page 11 by omitting lines 12 through 15 in their entirety, and

Be further amended in Section 1, Subsection (21), page 11, after the material on line 18 by omitting lines 19 through 24 in their entirety and inserting a new Subsection (22) to read as follows: "(22) The sum of the previous year special education expenses as defined in subsection (21) above, and the maximum-budget-without-a-vote for current year special education as defined in subsection (20) shall be the special education budget for accounting purposes. This amount reduced by the amount of special education funds reappropriated from the previous year will constitute the total maximum-budget-without-a-vote for special education for the given school year.", and

Be further amended in Section 2, Subsection (3), page 13, line 11 after the figure "(3)" by inserting the following new material: "Funds provided to support the special education accounting budget may be expended only for special education purposes as approved by the superintendent of public instruction in accordance with the special education budgeting provisions of this title.", and

Be further amended in Section 2, Subsection (3), page 13, line 19 after the words: "amount of" by omitting the word: "local", and

Be further amended in Section 2, Subsection (3), page 13, line 19 after the words: "finance the" by inserting the word: "district's", and

As amended, be concurred in.

GUNDERSON, Chairman

Report adopted.

February 19, 1974

Mr. Speaker: We, your Committee on Education, having had under consideration Senate Bill No. 663, respectfully report as follows: That Senate Third Reading Bill No. 663 be concurred in.

GUNDERSON, Chairman

Report adopted.

February 19, 1974

Mr. Speaker: We, your Committee on Education, having had under consideration Senate Bill No. 664, respectfully report as follows: That Senate Third Reading Bill No. 664 be concurred in.

GUNDERSON, Chairman

Report adopted.

February 18, 1974

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Bill No. 969, respectfully report as follows: That Introduced House Bill No. 969 be amended in the title on page 1, line 5 after the word: "system" by omitting the rest of the title through and including the word: "management." on line 7 and inserting in lieu thereof the following new material: "; repealing Section 62-301, R.C.M. 1947; and providing an effective date.", and

Be further amended on page 2, Section 2, starting with Subsection (3)(a) on line

4 by omitting the rest of the bill through and including the material on line 24 of page 26 and inserting in lieu thereof the following new material:

"(a) assure that public funds are expended to obtain high quality public recreation resources in functional categories of recreation resources so that a balance of high quality available resources is maintained,

(b) provide a means for the legislature and the public to adequately understand the extent and quality of recreation resources which have been dedicated to the public or which could be obtained for public use,

(c) to assure that private property is not transferred to public use beyond the needs of the citizens of this state for recreation resources in each functional category,

(d) preserve an accurate representation of Montana's natural and historical heritage for public understanding and enjoyment,

(e) provide an adequate supply of scenic, accessible, and usable lands and water to accommodate the outdoor recreational needs of Montana's citizens,

(f) aid in the development of a statewide policy which will encourage agriculture and recreation to exist and grow without harm or detrimental effects to either.

Section 3. The legislature further finds that there is the need for the preparation of a document by the state of Montana to guide the legislature hereafter in the review of requests for appropriations for land acquisition, development, and maintenance of lands for state parks, campgrounds, water access sites, trails, recreation areas, scientific or natural areas, rest areas, and historic sites. A current inventory, future demands, land acquisition costs, anticipated revenues, development costs and other appropriate data shall be included in this document. The plan shall also include a detailed analysis of the role of private enterprise, agriculture, and regional and subregional responsibilities of the local units of government. The plan shall include but not be limited to the following:

(1) the determination of a Montana growth pattern and anticipated needs for the foreseeable future;

(2) the identification of all areas of the state possessing outstanding scenic, historic or natural value; whether on state, private, or federal lands;

(3) the functional classification of state administered outdoor recreational facilities;

(4) the analysis of existing and proposed state outdoor recreational facilities to determine their best use and ranking relative to other sites;

(5) the collection of more accurate use statistics on existing recreational areas which will indicate origin of most users, trends in overall use and activity participation;

(6) the analysis of existing and proposed state outdoor recreational areas to determine the potential for additional facility development;

(7) the review of land acquisition priorities and cost estimates;

(8) the development of state policies for outdoor recreation;

(9) the identification of future natural resources planning objectives;

(10) an analysis of agricultural production in the areas developed and the development of a policy of replacement or methods to increase production if any sizeable production is to be lost due to development under this act, and

(11) the development of a state policy which will eliminate the current checkerboard pattern of land development in Montana.

The legislature hereby determines that the establishment of the Montana outdoor recreation system will serve these needs and will thus serve a valid public purpose for the people of this state.

Section 4. Definitions. For the purpose of this act, the terms defined in this section shall have the meanings herein ascribed to them.

(1) 'Managing agency' means the Montana department of fish and game.

(2) 'Outdoor recreation system' means the Montana outdoor recreation system and inventory as established by this act.

(3) 'Unit' means any state park, recreation area, historic site, scientific or natural area, wilderness area, trail, rest area, or water access site authorized, purchased, or studied pursuant to this act.

(4) 'Outdoor recreation' means any voluntary activity which is conducted primarily for the purposes of pleasure, rest, or relaxation and is dependent upon or derives its principle benefit from natural surroundings; 'outdoor recreation' shall also, for the purposes of this act, mean any demonstration, structure, exhibit, or activity which is primarily intended to preserve, demonstrate, or explain a significant aspect of the natural and cultural history and archaeology of Montana.

(5) 'Administration' or 'administer' means the process, or any part thereof, of the preparation, operation, and management of a unit, including but not limited to the following:

(a) management of natural resources and visitors;

(b) construction and development of structures, service facilities, and programs for visitor and administrative use;

(c) maintenance of natural resources and facilities;

(d) jurisdiction, custody and control of all the units set forth under this act except state roadside areas which shall be under the maintenance and jurisdiction of the state highway department;

(e) acceptance of gifts, grants, bequests, or contributions of money or other property to be used or spent under the provisions of this act.

(6) 'Landscape region' means an identifiable geographic region with generally homogeneous natural characteristics which exemplify the natural processes which formed the geography, geology, topography and biology of the state.

(7) 'Facility' or 'facilities' means any building, structure, modification, or improvement made or built upon the land or waters of a unit.

(8) 'Rest area' means all facilities developed by the department of highways for the safety, rest, comfort and use of the highway traveler and shall include all existing facilities designated as rest areas and waysides by the department of highways.

(9) 'State planning agency' means the division of planning and economic development of the department of intergovernmental relations.

(10) 'Agricultural land' means that land used primarily for the production of food or a food fiber.

Section 5. Montana outdoor recreation system. The Montana outdoor recreation system is hereby created and established, and no land, water, or facility shall be now or hereafter owned, acquired, or operated by the state of Montana as a unit of the outdoor recreation system except as provided in this act.

Section 6. State master plan. (1) After the completion of the inventory a state master plan shall be developed through the cooperation of all state agencies under the direction of the managing agency shall include as a minimum the following items:

(a) Regional recreational needs based on both existing and projected demands in activity days for each distinct geographical area.

(b) Availability and value of features in the various regions meeting the activity needs.

(c) Priorities for development and a schedule of acquisition and development costs, for all the elements in this act described in sections 13 through 21.

(2) The managing agency shall supervise preparation of the master plan and shall utilize the professional staffs of any agency of the state when the expertise of the staff of such agency is necessary to adequately prepare the master plan or utilize private consultants as deemed necessary. The master plan shall present such information in format and in such detail as to thoroughly describe the size, cost, current ownership of the area, the complexity and program development of each authorized unit.

(3) All master plans required by this section shall be submitted to the state planning agency for review pursuant to this subdivision. Within sixty (60) days after receiving the master plan, the state planning agency shall review the plan and return to the managing agency its comments on whether the plan

- (a) is consistent with the policy and purposes of this act, and
- (b) will accomplish the purpose and objective of its classification.

In reviewing any master plan, the state planning agency shall consult with other state agencies, and may suggest that the plan be modified in any respect to insure compliance with the above requirements. The managing agency shall make any changes that are necessary to insure compliance with this act, and shall resubmit the amended plan to the state planning officer for review in the manner of the original master plan. Failure to comment on a master plan or amended master plan within the time specified shall be considered approval of the plan by the state planning agency.

In the event of a disagreement between a managing agency and the state planning agency about whether a master plan or amended master plan is in compliance with this act, either party may request review of the master plan by the Montana board of natural resources and conservation. In that event, review shall not be deemed completed until after the master plan has been approved by the Montana board of natural resources and conservation.

Section 7. Authorization and acquisition of units. The obtainment of any unit or land under this act may not be entered into or other obligation incurred until monies have been appropriated by the legislature or are otherwise available.

Section 8. Designation of land. The managing agency may designate lands under its control as any unit under the provision of this act, or by other designation it considers appropriate. Likewise, it may reclassify any land or unit currently under its jurisdiction.

Section 9. Leasing of designated land. The managing agency may lease those portions of designated lands which are necessary for the proper administration of those lands with the basic purposes of section 3 of this act.

Section 10. Commitment of improvements. Construction of necessary facilities and other development of any new unit shall commence only after acceptance of the master plan as set forth under this act and shall be carried out in conformity with the master plan.

Section 11. Occupancy of units. When in the opinion of the managing agency, acquisition and development of the unit are sufficiently complete to permit operation and administration of the unit in substantial conformity with the master plan as approved, the managing agency shall declare the unit established and ready for use.

Section 12. Outdoor recreation system — classification and purposes. The outdoor recreation system shall be comprised of units classified as follows, and each unit shall be authorized, established, and administered to accomplish the purpose and objectives of its classification.

Section 13. State park — purpose — resource and site qualifications — administration. (1) A state park shall be established to protect and perpetuate extensive areas of the state possessing these resources which illustrate and exemplify Montana's natural heritage and to provide for the use, enjoyment, and understanding of such resources without impairment for the enjoyment and recreation of future generations.

(2) No unit shall be authorized as a state park unless its proposed location substantially satisfies the following criteria:

(a) exemplifies the natural characteristics of the major landscape regions of the state, as shown by accepted classifications, in an essentially unspoiled condition or in a condition that will permit restoration in the foreseeable future; or contains essentially unspoiled natural resources of sufficient extent and importance to meaningfully contribute to the broad illustration of the state's natural heritage; or

(b) contains natural resources, sufficiently diverse and interesting to attract people from throughout the state; and is sufficiently large to permit protection of the plant and animal life and other natural resources which give the park its qualities and provide for a broad range of opportunities for human enjoyment of these qualities.

(3) State parks shall be administered by the managing agency in a manner which is consistent with the purposes of this section to preserve, perpetuate, and interpret natural features of the presettlement park area and other significant natural, scenic, scientific, or historic features that are present. Management shall seek to maintain a balance among the plant and animal life of the park and to reestablish desirable plants that were formerly indigenous to the park area but are now missing. Programs to interpret the natural features of the park may be provided. Outdoor recreation activities to utilize the natural features of the park that can be accommodated without material disturbance of the natural features of the park or the introduction of undue artificiality into the natural scene may be permitted. Park use shall be primarily for scenic, cultural, and educational purposes, and shall not be designed to accommodate all forms of unlimited volumes of recreational use. Physical development shall be limited to those facilities necessary to complement the natural features and the values being preserved.

Section 14. State recreation area — purpose — resource and site qualifications — administration. (1) A state recreation area shall be established to provide a broad selection of outdoor recreation opportunities in a natural setting which may be used by large numbers of people.

(2) No unit shall be authorized as a state recreation area unless its proposed location substantially satisfies the following criteria:

(a) contains natural or artificial resources which provide outdoor recreational opportunities that will attract visitors from beyond the local area;

(b) contains resources which are extensive enough to permit intensive recreational use by large numbers of people; and

(c) may be located in areas which have serious deficiencies in public outdoor recreation facilities, provided that state recreation areas should not be provided in lieu of municipal, county or federal facilities.

(3) State recreation areas shall be administered by the managing agency in a manner which is consistent with the purposes of this section primarily to provide as broad a selection of opportunities for outdoor recreation as is consistent with maintaining a pleasing natural environment. Scenic, historic, scientific, scarce, or disappearing resources within state recreation areas shall be designated as historical areas or scientific and natural areas to preserve and protect them. Physical development shall enhance and promote the use and enjoyment of the natural recreational resources of the area.

Section 15. State historic site — purpose — resource and site qualifications — administration — designation. (1) A state historic site shall be established to preserve, restore, and interpret buildings and other structures, locales, sites, antiquities, and related lands which aptly illustrate significant events, personalities, and features of the history and archaeology of the state or nation.

(2) No unit shall be authorized as a state historic site unless it is historically important for any of the following reasons:

(a) is the site of or directly associated with a significant historical event;

(b) is associated with persons whose lives and accomplishments are historically unique or important;

(c) embodies the distinctive characteristics of an architectural style or method of construction which represents a particular and significant historical period, or the work of a master builder, designer, or architect;

(d) has yielded, or is likely to yield, historical or archaeological artifacts, records, or other original data or information; or

(e) is a geographical feature of outstanding significance and includes, by way of example, the highest point in the state, the continental divide, and the source of the Missouri River.

(3) State historic sites shall be administered by the managing agency in a manner consistent with the purposes of this section to maintain and, if necessary, restore the historical integrity of the site to commemorate or illustrate its historical importance. Ancient features of significance shall be protected from disturbance until archaeological research has been completed. Interpretive programs for visitors may be provided including, where practicable, interpretation of research programs under supervised conditions. Recreational use of natural features shall be permitted only where this can be accomplished without detriment to historical values. Physical development shall be limited to those facilities necessary to achieve the management and use objectives.

Section 16. State scientific or natural areas — purpose — resource and site qualifications — administration — designation. (1) A state scientific or natural area shall be established to protect and perpetuate in an undisturbed natural state those natural features which possess exceptional scientific or educational value.

(2) No unit shall be authorized as a scientific or natural area unless its proposed location substantially satisfies the following criteria:

(a) embraces natural features of exceptional scientific and educational value, including but not limited to:

(i) natural formations or features which significantly illustrate geological processes;

(ii) significant fossil evidence of the development of life on earth;

(iii) an ecological community significantly illustrating characteristics of a physiographic province or a biome;

(iv) a biota of relative stability maintaining itself under prevailing natural conditions;

(v) an ecological community significantly illustrating the process of succession and restoration to natural condition following disruptive change;

(vi) a habitat supporting a vanishing, rare, or restricted species;

(vii) a relict flora or fauna persisting from an earlier period; and

(viii) a seasonal haven for concentrations of native birds and animals, or a vantage point for observing concentrated populations, such as a constricted migration route.

(b) embraces an area large enough to permit effective research or educational functions and to preserve the inherent natural values of the area.

(3) State scientific or natural areas shall be administered by the managing agency in a manner which is consistent with the purposes of this section to preserve, perpetuate and protect from unnatural influences the scientific and educational resources within them. Interpretive studies may be provided for the general public. Physical development shall be limited to the facilities absolutely necessary for protection, research, and educational projects, and, where appropriate, for interpretive services. An area designated as a state scientific or natural area shall not be altered in designation or use without holding a public hearing on the matter at a time and place designated in the notice of the hearing, which shall be published

once in a legal newspaper in each county in which the lands are situated at least seven (7) days in advance of the hearing. At the hearing the commissioner shall provide an opportunity for any person to be heard.

(4) At the discretion of the managing agency, each scientific or natural area shall be designated as one of the following types:

(a) Research unit. Use is limited to programs conducted by qualified scientists and college graduate and post-graduate students.

(b) Educational unit. Permitted uses include all activities specified in paragraph (a) above and primary, secondary, and college undergraduate programs.

(c) Public use unit. Permitted uses include all uses permitted in paragraphs (a) and (b) above and interpretive programs for the benefit of the general public.

Section 17. State wilderness area — purpose — resource and site qualifications — administration. (1) A state wilderness area shall be established to preserve outstanding opportunities for solitude and primitive types of outdoor recreation.

(2) No unit shall be authorized as a state wilderness area unless its proposed location substantially satisfies the following criteria:

(a) contains an area sufficiently large to permit the user to effectively isolate himself from civilization;

(b) appears to have been primarily affected by the forces of nature, with the evidence of man being substantially unnoticeable; and

(c) is of sufficient size to permit preservation and dispersed outdoor recreational uses without impairing the natural conditions.

(3) State wilderness areas shall be administered by the managing agency in a manner which is consistent with the purposes of this section, and shall be managed only to the extent necessary to control fire, insects, and disease, and to preserve existing wilderness or reestablish wilderness conditions. There shall be no development of public roads, permanent dwellings, or recreational facilities except trails for nonmotorized traffic. Motorized traffic shall not be allowed. Facilities existing at the time of establishment shall be removed.

Section 18. State trail — purpose — resource and site qualifications — administration — designation. (1) A state trail shall be established to provide a recreational travel route which connects units of the outdoor recreation system or the national trail system, provides access to or passage through other areas which have significant scenic, historic, scientific, or recreational qualities or reestablishes or permits travel along an historically prominent travel route.

(2) No unit shall be classified as a state trail unless its proposed location substantially satisfies the following criteria:

(a) permits safe travel, by appropriate modes of transportation, along a route which provides at least one of the following recreational opportunities:

(i) travel along a route which connects areas or points of natural, scientific, cultural or historic interest;

(ii) travel through an area which possesses outstanding scenic beauty;

(iii) travel by the appropriate transportation mode over a route designed to enhance and utilize the unique qualities of that mode in harmony with the natural environment;

(iv) travel along a route which is historically significant as a route of migration, commerce, or communication; or

(v) travel between units of the state outdoor recreation system or the national trail system.

(b) utilizes, to the greatest extent possible consistent with the purposes of this act, public lands, rights-of-way, and the like; and

(c) provides maximum potential for the appreciation, conservation, and enjoyment of significant scenic, historical, natural, or cultural qualities of the areas through which the trail may pass.

(3) State trails shall be administered by the managing agency in a manner which is consistent with the purposes of this section. State trails established by the managing agency shall be managed to provide a travel route through an area with a minimum disturbance of the natural environment. Trail markers shall be limited to those providing safety information and interpretation.

(4) Facilities for the rest and comfort of trail users shall be provided primarily within units of the outdoor recreation system through which the trail passes, provided, however, when additional such facilities are required to insure the rest and comfort of the traveler, the managing agency may, at its discretion, develop such facilities along the trail and shall designate such facilities as trail waysides. In addition to the foregoing purpose, trail waysides shall be developed for the preservation and interpretation of the trails natural, historic, or scenic values, and may include facilities for primitive camping, picnicking, and parking for access to the trail.

Section 19. State rest area — purpose — resource and site qualifications — administration. (1) A state rest area shall be established to promote a safe, pleasurable, and informative travel experience along Montana highways by providing areas and facilities at reasonable intervals for information, emergencies, or the rest and comfort of travelers.

(2) No unit shall be classified as a state rest area unless its proposed location substantially satisfies the following criteria:

(a) is developed at appropriate intervals based on the type of road system, traffic and traffic projections and known or projected usage of said proposed development;

(b) is adjacent to or in near proximity to a trunk or interstate highway;

(c) possesses scenic beauty if present; and

(d) is near or associated with a place or area of natural, scientific, cultural or historic interest.

(3) Rest areas shall be administered by the department of highways in cooperation with other agencies as appropriate in a manner which is consistent with the purposes of this section. State rest areas may be managed to provide parking, resting, restroom, picnicking, orientation, and other facilities for the convenience of the traveling public. Where located in conjunction with features of interest, state rest areas may provide interpretive exhibits or other facilities if appropriate to promote understanding and enjoyment of the features.

Section 20. State water access site — purpose — resource and site qualifications — administration. (1) A state water access site shall be established to provide public access for launching or entering on to those rivers and lakes which are suitable for outdoor water recreation and where such access is necessary to permit public use.

(2) No unit shall be established as a state water access site unless its proposed location substantially satisfies the following criteria:

(a) the body of water to which access is being provided and surrounding lands can withstand additional recreational use without undue damage to the environment or substitutional agricultural use of the land,

(b) public access to such body of water is either nonexistent or inadequate.

(3) State water access sites shall be administered by the managing agency in a manner which is consistent with the purposes of this section to provide a safe and aesthetically pleasing place to launch watercraft. Access roads, parking areas, and refuse containers and other facilities may be provided at each site in a manner compatible with the natural environment. Sanitary facilities and facilities for limited picnicking and primitive camping may be provided when the managing agency determines that these activities are justifiable, are compatible with the resource, and can be easily accommodated on the site.

Section 21. Establishment of secondary units — when permitted — administration. (1) A unit of outdoor recreation system may be established wholly or partially within the boundaries of another unit only when such establishment is consistent with the purposes and objectives of the respective units and only in the instances permitted below:

(a) The following units may be established wholly or partially within a state park: historical area, scientific or natural area, wilderness area, trail, rest area, and water access site.

(b) The following units may be established wholly or partially within a state recreation area: state historical area, scientific or natural area, trail, rest area, and water access site.

(c) The following units may be established wholly or partially within a state historical area: state trail, rest area, and water access site.

(d) The following units may be established wholly or partially within a state scientific or natural area: state trail and water access site.

(e) The following units may be established wholly or partially within a state rest area: state historical area, trail, and water access site.

Section 22. State trails. Any and all state trails which have been established, developed, maintained, and operated are hereby authorized as units of the outdoor recreation system and are classified as state trails and shall be administered pursuant to this act.

Section 23. State scientific or natural areas. All state scientific or natural areas which have been acquired and designated as such are hereby authorized and established as units of the outdoor recreation system, are classified as state scientific or natural areas, and shall be administered by the managing agency as provided herein.

Section 24. State historic sites. All existing state historic sites are hereby authorized and established as units of the outdoor recreation system, are classified as state historic sites, and shall be administered in a manner which is consistent with this act.

Section 25. State water access sites. All lands and facilities which have been or will be established to provide public access to water on state lands are hereby authorized and established as units of the outdoor recreation system, are classified as state water access sites, and shall be administered by the managing agency pursuant to this act.

Section 26. Severability clause. It is the intent of the legislative assembly that if a part of this act is invalid, all valid parts that are severable from the invalid part remain in effect. If a part of this act is invalid in one or more of its applications, the part remains in effect in all valid applications that are severable from the invalid applications.

Section 27. Section 62-301, R.C.M. 1947, is repealed.

Section 28. Effective date. This act is effective on its passage and approval.", and

As amended, do pass.

STAIGMILLER, Chairman

Report adopted.

In accordance with the 24 hour rule, the adverse committee report on Senate Joint Resolution No. 51 was adopted by the following vote:

Ayes: Baeth, Bardanouve, Baucus, Bennetts, Bradley, Castles, Cotton, Driscoll, East, Fagg, Fasbender, Flynn, Greely, Gunderson, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Jacobsen, Kendall, Kimble, Laas, Lee, Lombardi, Lynch, McKittrick, Manuel, Marbut, Mehrens, Menahan, Murphy, Norman, Olson, Quilici, Regan, Schepens, Shelden, Staigmilller, Stoltz, Swanberg, Tierney, Turman, Turner, Mr. Speaker. Total 46.

Noes: Aageson, Asbjornson, Barrett, Bell, Brand, Burnett, Campbell, Ellerd, Forsgren, Galt, Hager, Hubing, Jones, Kessner, Kolstad, Kvaalen, Lockrem, Lucas, Lund, Lundgren, Mann, Marks, Rolfe, Seifert, Selstad, Smith, Ulmer, Walborn, Warfield. Total 29.

Excused: Clemow, Haines, Hall, Holtz, Zimmer. Total 5.

Absent or not voting: Ainsworth, Brown, Colberg, Cox, Edland, Fleming, Glennen, Hageman, Huennekens, Johnston, Kosena, Lien, Mercer, Prevost, Roberts, Schye, Stephens, Towe, Watt, Yardley. Total 20.

MESSAGES FROM THE OTHER HOUSE

February 18, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read third time and concurred in as amended, titles and history agreed to and the said bills are herewith returned to the House for concurrence in Senate amendments:

House Bill No. 233 introduced by Bardanouve and Driscoll

House Bill No. 662 introduced by Greely

House Bill No. 870 introduced by Stephens and Hageman

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

February 18, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read third time and concurred, titles and history agreed to and the said bills are herewith returned to the House:

House Bill No. 77 introduced by Lund and Fasbender

House Bill No. 232 introduced by Bardanouve and Driscoll

House Bill No. 771 introduced by Gerke

House Bill No. 855 introduced by Clemow, Jones and Murphy

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

February 18, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day read three several times, and passed, title and history agreed to, and the bills are herewith transmitted to the House for concurrence:

Senate Bill No. 646 introduced by Moore

Senate Bill No. 693 introduced by Bollinger and Klindt

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

February 18, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bills and Joint Resolution were this day read three several times, and passed, title and history agreed to, and the bills and resolution are herewith transmitted to the House for concurrence:

Senate Bill No. 471 introduced by Sorensen

Senate Bill No. 476 introduced by Deschamps, Story and McOmber

Senate Bill No. 649 introduced by Bollinger and Klindt

Senate Bill No. 689 introduced by Bertsche, Gilfeather, et al

Senate Bill No. 694 introduced by Bollinger and Klindt

Senate Bill No. 716 introduced by McNamer, Cochrane, et al

Senate Bill No. 717 introduced by McNamer, Cochrane, et al

Senate Joint Resolution No. 53 introduced by Lynch

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

MOTIONS

Bardanoue, having voted on the prevailing side on the previous legislative day in killing House Bill No. 882 on Third Reading, moved that the House reconsider its action.

Motion failed.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following bills and resolutions were introduced, read first time and referred to committees:

House Resolution No. 57, introduced by State Administration Committee: A Resolution of the House of Representatives of the State of Montana directing the Montana Arts Council to commission a statue of Jeannette Rankin for placement in the rotunda of the State Capitol. Referred to Committee on State Administration.

House Resolution No. 58, introduced by Kosena, R. Harper, Mehrens, Driscoll, Quilici: A Resolution of the House of Representatives of the State of Montana urging self-regulation within the private employment agency business. Referred to Committee on Business and Industry.

House Bill No. 1119, introduced by Ulmer, Lucas: A bill for an act entitled: "An act to appropriate sixty thousand dollars (\$60,000) to the Pine Hills School for paying the state's portion of the local share of the Carbon Hill Watershed Project; and providing an effective date." Referred to Committee on Finance and Claims.

Senate Bill No. 646, introduced by Moore: A bill for an act entitled: "An act defining the crime of abortion and prescribing penalties." Referred to Committee on Judiciary.

Senate Bill No. 693, introduced by Bollinger, Klindt: A bill for an act entitled: "An act to amend Sections 79-1012 through 79-1018, R.C.M. 1947, the State Budget Act, allowing for changes in budget format and clarifying and adjusting the language of those sections." Referred to Committee on State Administration.

Senate Bill No. 471, introduced by Sorensen: A bill for an act entitled: "An act amending Section 4-404, R.C.M. 1947, to increase the liquor license fee for cities with a population of ten thousand dollars (\$10,000) or more from six hundred dollars (\$600) to twenty thousand dollars (\$20,000)." Referred to Committee on State Administration.

Senate Bill No. 476, introduced by Deschamps, Story, McOmber: A bill for an act entitled: "An act for revision of the laws relating to the Department of Livestock and providing that this act is effective upon its passage and approval." Referred to Committee on Agriculture, Livestock and Irrigation.

Senate Bill No. 649, introduced by Bollinger, Klindt: A bill for an act entitled: "An act to provide for the giving of notice of public hearings regarding the regulation of utilities to the Montana Consumer Counsel; and for making reference to the availability of the Montana Consumer Counsel in notices of hearings by adding the following sections to Title 70, R.C.M. 1947." Referred to Committee on Business and Industry.

Senate Bill No. 689, introduced by Bertsche, Gilfeather, Darrow, Devine, Rosell, Hall, DeWolfe, Graham, Moore, Lynch, Aber, Shea, Lowe, James, Siderius, McGowan, Sorensen, Boylan: A bill for an act entitled: "An act establishing an Educational Telecommunications Commission; prescribing its powers and duties; amending Section 82-3325; repealing Sections 75-5710 and 75-5711, R.C.M. 1947; and providing for an effective date." Referred to Committee on Education.

Senate Bill No. 694, introduced by Bollinger, Klindt: A bill for an act entitled: "An act amending Sections 8-108, 8-109, 8-110 and 8-111, R.C.M. 1947, to finance dissemination of notice of public hearings regarding the public convenience and necessity for granting motor carrier authority; to provide for the publication of such notice in the legal advertising section of appropriate newspapers; and adding two (2) new sections to Title 8, R.C.M. 1947, to provide for the giving of such notice to the Montana Consumer Counsel; and to make reference to the availability of the Montana Consumer Counsel in notices of hearings." Referred to Committee on State Administration.

Senate Bill No. 716, introduced by McNamer, Cochrane, Mathers, James: A bill for an act entitled: "An act declaring the right to refuse to participate in an abortion; providing penalties, remedies; and providing an effective date." Referred to Committee on Judiciary.

Senate Bill No. 717, introduced by McNamer, Cochrane, Mathers, James: A bill for an act entitled: "An act declaring the right to refuse to participate in a sterilization operation; providing penalties and remedies; and an effective date." Referred to Committee on Judiciary.

Senate Joint Resolution No. 53, introduced by Lynch: A Joint Resolution of the Senate and the House of Representatives of the State of Montana requesting the Committee on Priorities to consider requesting a joint standing sub-committee be assigned the study of the profession of "physicians' assistants" and draft proposed implementing legislation for the First Session of the Forty-fourth Legislature convening in 1975. Referred to Committee on Public Health, Welfare and Safety.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Fasbender moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading under the rules of the previous sitting.

Motion carried.

Selstad in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

February 19, 1974

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That House Bill No. 596 be placed below House Bill No. 1050 on the board.

That House Bill No. 749 be passed for the day.

That House Bill No. 776 be passed for the day.

That House Bill No. 782 be amended in Section 5, page 2, line 18 of the second reading bill by deleting the words: "is guilty of a felony and" (72-0), and

Be further amended in Section 1, line 14, page 1 by striking the word: "person" and inserting in lieu thereof the words: "professional strikebreakers", and

Further amend Section 4, line 11, page 2 by striking the word: "persons" and inserting in lieu thereof the words: "professional strikebreakers" (81-0), and

As amended, do pass. (60-26)

Hubing, Galt, and Schye excused at this time.

That House Bill No. 887 do pass. (81-2)

That House Bill No. 924 do pass. (81-0)

That House Bill No. 964 do pass. (72-10)

That House Bill No. 1021 do pass. (80-0)

That House Bill No. 1050 be passed for the day.

That House Bill No. 596 be amended in the title, page 1, line 8 of the second reading bill after the word: "code" by striking the punctuation period and quote (") and inserting in lieu thereof the following new material: "and providing an effective date." (78-0), and

Further amend Section 4, page 4, line 2 of the second reading bill by striking after the word: "within" the following material: "One (1) year from the effective date of this act, the department shall hold public hearings and issue a proposed schedule of charges to be made for emissions from stationary sources. The schedule of charges for emissions shall not be adopted except upon compliance with the provisions of the Montana Administrative Procedure Act." and inserting in lieu thereof the following new material: "Nine (9) months from the effective date of this act, the department shall hold public hearings and issue a proposed schedule of charges to be made for emissions from stationary sources.", and

Further amend Section 4, Subsection 1, page 4, line 9 by adding after the word: "the" the following new material: "proposed", and

Further amend Section 4, Subsection 2, page 4, line 12 by adding after the figures: "(2)" the following new material: "proposed", and

Further amend Section 4, Subsection 3, page 4, lines 16 through 22 by striking subsection in its entirety and inserting in lieu thereof the following new material: "(3) The department shall offer the proposed schedule of charges to the first session of the Forty-fourth Legislature for its approval and enactment.", and

Further amend Section 4 by adding a new Subsection (4) to read as follows: "(4) The department shall thereafter annually propose any amendments it feels necessary in the schedule of charges, making provisions for necessary additions, reductions, and deletions from the schedule and it shall offer these amendments to each session of the legislative assembly for its approval and enactment." (80-0), and

Further amend by adding the following new material: "Section 8. This act is effective on passage and approval." (75-3), and

As amended, do not pass. (49-43)

That the committee rise and report.

SELSTAD, Chairman

Report adopted.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 448 was passed by the following vote:

Ayes: Ageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Cotton, Cox, Driscoll, East, Edland, Fagg, Fasbender, Fleming, Flynn, Forsgren, Glennen, Greely, Hageman, Hager, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Huennekens, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Seifert, Selstad, Shelden, Smith, Staigmillar, Stephens, Stoltz, Swanberg, Towe, Turman, Turner, Watt, Yardley, Mr. Speaker. Total 81.

Noes: Burnett, Ellerd, Gunderson, Warfield. Total 4.

Excused: Clemow, Galt, Haines, Hall, Holtz, Hubing, Mercer, Schye, Zimmer. Total 9.

Absent or not voting: Colberg, Jacobsen, Marks, Tierney, Ulmer, Walborn. Total 6.

House Bill No. 607 was passed by the following vote:

Ayes: Ageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fleming, Flynn, Forsgren, Glennen, Greely, Gunderson, Hageman, Hager, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Seifert, Selstad, Shelden, Smith, Staigmillar, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Warfield, Watt, Yardley, Mr. Speaker. Total 87.

Noes: None.

Excused: Clemow, Galt, Haines, Hall, Holtz, Hubing, Mercer, Schye, Zimmer. Total 9.

Absent or not voting: Fasbender, Marks, Ulmer, Walborn. Total 4.

House Bill No. 615 was passed by the following vote:

Ayes: Ageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Glennen, Greely, Gunderson, Hageman, Hager, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Seifert, Selstad, Shelden, Smith, Staigmillar, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 89.

Noes: None.

Excused: Clemow, Galt, Haines, Hall, Holtz, Hubing, Mercer, Schye, Zimmer. Total 9.

Absent or not voting: Marks, Walborn. Total 2.

House Bill No. 665 was passed by the following vote:

Ayes: Ageson, Ainsworth, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brown, Campbell, Castles, Colberg, Cotton, Cox, Driscoll, East, Edland, Fagg, Fasbender, Fleming, Flynn, Glennen, Greely, Gunderson, Hageman, Halvorson, H. Harper, Hodges, Holmes, Huennekens, Jacobsen, Jones, Kendall, Kessner, Kimble, Kosena, Kvaalen, Laas, Lien, Lockrem, Lucas, Lund, Lundgren, McKittrick, Mann, Manuel, Marbut, Mehrens, Menahan, Murphy, Norman, Olson, Regan, Roberts, Rolfe, Seifert, Selstad, Shelden, Smith, Staigmillar, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 73.

Noes: Asbjornson, Brand, Burnett, Forsgren, Hager, R. Harper, Healy, Johnston, Kolstad, Lee, Lombardi, Lynch, Prevost, Quilici, Schepens. Total 15.

Excused: Clemow, Galt, Haines, Hall, Holtz, Hubing, Mercer, Schye, Zimmer. Total 9.

Absent or not voting: Ellerd, Marks, Walborn. Total 3.

House Bill No. 690 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Colberg, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Greely, Gunderson, Hageman, Hager, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Mehrens, Menahan, Murphy, Norman, Prevost, Quilici, Regan, Roberts, Schepens, Selstad, Shelden, Staigmilller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 79.

Noes: Barrett, Burnett, Glennen, Lockrem, Mann, Olson, Rolfe, Seifert, Smith. Total 9.

Excused: Clemow, Galt, Haines, Hall, Holtz, Hubing, Mercer, Zimmer. Total 8.

Absent or not voting: Cotton, Marks, Schye, Walborn. Total 4.

House Bill No. 741 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brown, Burnett, Campbell, Castles, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Glennen, Hageman, Hager, Halvorson, H. Harper, Healy, Holmes, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, Manuel, Marbut, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Quilici, Roberts, Rolfe, Schepens, Seifert, Selstad, Shelden, Smith, Stephens, Stoltz, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 78.

Noes: Brand, Greely, Gunderson, R. Harper, Hodges, McKittrick, Mann, Regan, Staigmilller, Swanberg. Total 10.

Excused: Clemow, Galt, Haines, Hall, Holtz, Hubing, Mercer, Schye, Zimmer. Total 9.

Absent or not voting: Laas, Marks, Walborn. Total 3.

House Bill No. 895 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Barrett, Baucus, Bell, Bennetts, Bradley, Brown, Burnett, Campbell, Castles, Colberg, Cotton, Cox, Driscoll, East, Edland, Fagg, Flynn, Forsgren, Hageman, Hager, Halvorson, H. Harper, Healy, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lombardi, Lucas, Lund, Lundgren, Lynch, Mann, Manuel, Marbut, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Quilici, Roberts, Rolfe, Schepens, Seifert, Selstad, Smith, Tierney, Towe, Turman, Turner, Ulmer, Watt, Mr. Speaker. Total 67.

Noes: Bardanouve, Brand, Ellerd, Fasbender, Glennen, Greely, Gunderson, R. Harper, Hodges, Holmes, Lockrem, McKittrick, Regan, Staigmilller, Stephens, Stoltz, Swanberg, Warfield, Yardley. Total 19.

Excused: Clemow, Galt, Haines, Hall, Holtz, Hubing, Mercer, Schye, Zimmer. Total 9.

Absent or not voting: Fleming, Kimble, Marks, Shelden, Walborn. Total 5.

House Bill No. 926 was passed by the following vote:

Ayes: Aageson, Baeth, Bardanouve, Baucus, Bennetts, Bradley, Brand, Brown,

Colberg, Cotton, Driscoll, Edland, Fasbender, Fleming, Flynn, Greely, Hageman, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Huennekens, Jacobeen, Kendall, Kimble, Kosena, Laas, Lee, Lien, Lombardi, Lynch, McKittrick, Manuel, Marbut, Mehrens, Menahan, Murphy, Norman, Prevost, Quilici, Regan, Roberts, Schepens, Shelden, Staigmiller, Stephens, Stoltz, Tierney, Towe, Turman, Watt, Yardley, Mr. Speaker. Total 55.

Noes: Ainsworth, Asbjornson, Barrett, Bell, Burnett, Campbell, Castles, Clemow, Cox, East, Ellerd, Fagg, Forsgren, Galt, Glennen, Gunderson, Hager, Haines, Holtz, Hubing, Jones, Kessner, Kolstad, Kvaalen, Lockrem, Lucas, Lund, Lundgren, Mann, Marks, Mercer, Olson, Rolfe, Schye, Seifert, Selstad, Smith, Swanberg, Turner, Ulmer, Warfield. Total 41.

Paired: Driscoll, Huennekens, Laas, Lynch, McKittrick, Murphy, Quilici, Schepens, Aye; Clemow, Galt, Haines, Holtz, Hubing, Marks, Mercer, Schye, Nay.

Excused: Hall, Zimmer. Total 2.

Absent or not voting: Johnston, Walborn. Total 2.

House Bill No. 938 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Colberg, Cotton, Cox, Driscoll, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Glennen, Greely, Hageman, Hager, Halvorson, H. Harper, Healy, Hodges, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Seifert, Selstad, Shelden, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 83.

Noes: Burnett, Gunderson, R. Harper, Holmes. Total 4.

Excused: Clemow, Galt, Haines, Hall, Holtz, Hubing, Mercer, Schye, Zimmer. Total 9.

Absent or not voting: East, Marks, Smith, Walborn. Total 4.

REPORTS OF STANDING COMMITTEES

February 19, 1974

I have examined House Bill No. 812 introduced by me and find the same to be correct.

BAETH

February 19, 1974

I have examined House Bill No. 663 introduced by me and find the same to be correct.

ULMER

February 19, 1974

I have examined House Bill No. 804 introduced by me and find the same to be correct.

BRAND

February 19, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly enrolled: House Bill No. 663, House Bill No. 804, House Bill No. 812.

QUILICI, Chairman

February 19, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly printed: House Bill No. 620, House Bill No. 909, House Bill No. 1015, House Bill No. 1016, House Bill No. 1101.

QUILICI, Chairman

February 19, 1974

The following bills will be signed at adjournment on February 19, 1974, in the office of the Speaker of the House of Representatives: House Bill No. 663, House Bill No. 804, House Bill No. 812.

EDWIN A. SMITH, Chief Clerk
House of Representatives

February 19, 1974

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Bill No. 280, respectfully report as follows: That House Bill No. 280 do pass.

BRAND, Chairman

Report adopted.

February 19, 1974

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 722, respectfully report as follows: That House Bill No. 722 be amended in the introduced bill on page 1, Section 1, Subsection (1), lines 18 through 20 after the material: "health." by omitting the material: "These rules and regulations are to be strictly interpreted against the requirement of embalming," and

Be further amended on page 1, Section 1, Subsection (1), line 17, after the word: "forth" by inserting the words: "by law or", and

Be further amended on page 1, Section 1, Subsection (3), line 24 by omitting the word: "objects" and inserting in lieu thereof the word: "merchandise", and

Be further amended on page 2, Section 2, line 4 after the word: "shall" by adding the words: "be entitled to", and

Be further amended on page 2, Section 2, line 4 after the word: "damages" by omitting the words: "of at least" and inserting in lieu thereof the words: "which shall, in no event, be less than", and

Be further amended on page 2, Section 2, line 5 by omitting the first word: "and" and inserting in lieu thereof the word: "plus", and

As amended, do pass.

LEE, Chairman

Report adopted.

February 19, 1974

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 785, respectfully report as follows: That House Bill No. 785 be amended on page 2, Section 1, line 21 after the material: "debtor," by adding the new material: "to petition the court having jurisdiction over the particular case to", and

As amended, do pass.

LEE, Chairman

Report adopted.

February 19, 1974

Mr. Speaker: We, your Committee on Judiciary, having had under consideration

House Bill No. 797, respectfully report as follows: That House Bill No. 797 be amended by striking everything after the enacting clause and inserting in lieu thereof the following new material:

"Section 1. There is a new section to be numbered 10-1300, R.C.M. 1947, which reads as follows:

10-1300. Declaration of policy. It is hereby declared to be the policy of the state of Montana:

(1) To insure that all youth are afforded an adequate physical and emotional environment to promote normal development;

(2) To compel in proper cases the parent or guardian of a youth to perform the moral and legal duty owed to the youth;

(3) To achieve these purposes in a family environment whenever possible; and

(4) To preserve the unity and welfare of the family whenever possible.

Section 2. There is a new section to be numbered 10-1301, R.C.M. 1947, which reads as follows:

10-1301. Definitions. (1) 'Child' or 'youth,' for purposes of this act, means any person under eighteen years of age.

(2) 'Abuse' or 'neglect' means (a) the commission or omission of any act or acts which materially affect the normal physical or emotional development of a youth, any excessive physical injury, sexual assault or failure to thrive, taking into account the age and medical history of the youth, shall be presumptive of 'material affect' and non-accidental; or

(b) The commission or omission of any act or acts by any person in the status of parent, guardian or custodian who thereby and by reason of physical or mental incapacity or other cause, refuses, or with state and private aid and assistance is unable to discharge the duties and responsibilities for proper and necessary subsistence, education, medical or any other care necessary for his physical, moral and emotional well-being.

(3) 'Dependent youth' means a youth who is abandoned, dependent upon the public for support, and who is destitute or is without parents or guardian or under the care and supervision of a suitable adult or who has no proper guidance to provide for his necessary physical, moral and emotional well-being. A child may be considered dependent and legal custody transferred to a licensed agency if the parent or parents voluntarily relinquish custody of said child.

(4) 'Youth in need of care' means a youth who is dependent or is suffering from abuse or neglect within the meaning of this act.

Section 3. There is a new section to be numbered 10-1302, R.C.M. 1947, which reads as follows:

10-1302: Jurisdiction and venue. (1) In all matters arising under this act, the youth court shall have concurrent jurisdiction with the district courts over all youths who are within the state of Montana for any purpose, or any youth or other person subject to this act who under a temporary or permanent order of the court has voluntarily or involuntarily removed himself from the state or the jurisdiction of the court, or any person who is alleged to have abused, neglected or caused the dependency of a youth who is in the state of Montana for any purpose.

(2) Venue shall be determined pursuant to Section 10-1207, R.C.M. 1947.

Section 4. There is a new section to be numbered 10-1308, R.C.M. 1947, which reads as follows:

10-1308. Confidentiality. The case records of the department of social and rehabilitation services, its local affiliate, the county welfare department, the county attorney and the court concerning actions taken under this act shall be kept confidential unless the court determines that they should be released.

Section 5. There is a new section to be numbered 10-1309, R.C.M. 1947, which reads as follows:

10-1309. Emergency protective service. Any social worker of the department of social and rehabilitation services, the county welfare department, peace officer or county attorney who has reason to believe any youth is in immediate or apparent danger of violence or serious injury shall have the authority to immediately remove the youth and place him in a protective facility. The department may make a request for further assistance from the law enforcement agency or take such legal action as may be appropriate.

A petition shall be filed within forty-eight (48) hours of emergency placement of a child unless arrangements acceptable to the agency for the care of the child have been made by the parents.

The department of social and rehabilitation services and the county welfare department shall comply with the judicial procedures set forth in section 10-1305, R.C.M. 1947.

The department of social and rehabilitation services and the county welfare department shall make such necessary arrangements for the youth's well-being as are required prior to the court hearing.

Section 6. There is a new section to be numbered 10-1310, R.C.M. 1947, which reads as follows:

10-1310. Petitions. (1) The county attorney shall be responsible for filing all petitions alleging abuse, neglect and dependency. He may require all state, county and municipal agencies, including law enforcement agencies, to conduct such investigations and furnish such reports as may be necessary.

(2) Such petitions shall be given preference by the court in setting hearing dates.

(3) A petition alleging abuse, neglect or dependency, is a civil action brought in the name of the state of Montana. The rules of civil procedure shall apply except as herein modified. Proceedings under a petition shall not be a bar to criminal prosecution.

(4) The parents or parent, guardian or other person or agency having legal custody of the youth named in the petition, if residing in the state, shall be served personally with a copy of the petition and summons at least five (5) days prior to the date set for hearing; if such person or agency resides out of state or is not found within the state, the rules of civil procedure relating to service of process in such cases shall apply.

(5) In the event service cannot be made upon the parents or parent, guardian or other person or agency having legal custody, the court shall appoint an attorney to represent the unavailable party where in the opinion of the court the interests of justice require.

(6) Where a parent of the child is a minor notice shall be given to the minor parent's guardian and if there is no guardian the court shall appoint one.

(7) Any person interested in any cause under this act shall have the right to appear.

(8) Except where the proceeding is instituted or commenced by a representative of social and rehabilitation services, a citation shall be issued and served upon a representative of social and rehabilitation services prior to the court hearing.

(9) The petition shall:

(a) state the nature of the alleged abuse, neglect or dependency;

(b) state the full name, age and address of the youth, his parents or guardian or person having legal custody of the youth;

(c) state the names, addresses and relationship to the youth and all persons who are necessary parties to the action.

(10) The petition may ask for the following relief:

(a) temporary investigative authority and protective services;

- (b) temporary legal custody;
- (c) limited legal custody;
- (d) permanent legal custody, including the right to consent to adoption;
- (e) appointment of guardian ad litem;
- (f) any combination of the above or such other relief as may be required for the best interest of the youth.

(11) The petition may be modified for different relief at any time within the discretion of the court.

(12) The court may at any time on its own motion, or the motion of any party appoint a guardian ad litem for the youth, or counsel for any indigent party.

(13) This section shall not apply to a petition for temporary investigative authority and protective services.

Section 7. There is a new section to be numbered 10-1311, R.C.M. 1947, which reads as follows:

10-1311. Petition and order for temporary investigative authority and protective services.

(1) In cases where it appears that a youth is abused or neglected or is in danger of being abused or neglected the county attorney may file a petition for temporary investigative authority and protective services.

(2) A petition for temporary investigative authority and protective services shall state the specific authority requested and the facts establishing probable cause that a youth is abused or neglected or is in danger of being abused or neglected.

(3) The petition for temporary investigative authority and protective services shall be supported by an affidavit signed by the county attorney or a social and rehabilitation services report stating in detail the facts upon which the request is based.

(4) Upon the filing of a petition for temporary investigative authority and protective services, the court may issue an order:

(a) granting such relief as may be required for the immediate protection of the youth.

(b) the order shall be served by a peace officer or a representative of the state social and rehabilitation services on the person or persons named therein.

(c) the order shall require the person served to immediately comply with the terms thereof or upon failure to so comply to appear before the court issuing the order on the date specified and show cause why he has not complied with the order. Except as otherwise provided herein, the rules of civil procedure shall apply.

(d) upon a failure to comply or show cause the court may hold the person in contempt or place temporary legal custody of the youth with the state social and rehabilitation services until further order.

(e) the court may grant the following kinds of relief:

(i) right of entry by peace officer or state social and rehabilitation services worker;

(ii) medical and psychological evaluation of youth or parents, guardians, or person having legal custody;

(iii) require the youth, parents, guardians or person having legal custody to receive counseling services;

(iv) place the youth in temporary medical facility or facility for protection of the youth;

(v) require the parents, guardian or other person having custody to furnish such services as the court may designate;

(vi) such other temporary disposition as may be required in the best interest of the youth.

Section 8. There is a new section to be numbered 10-1312, R.C.M. 1947, which reads as follows:

10-1312. Hearing. (1) In a hearing on a petition under section 10-1310, R.C.M. 1947, the court shall determine whether said youth is an abused, neglected or dependent child, and ascertain, as far as possible, the cause thereof.

(2) The court shall hear evidence regarding the residence of the child, whereabouts of the parents, guardian or nearest adult relative, the financial ability of any such parents or parent, to pay the cost of care of the child, whether or how long the child has been maintained in whole or in part by public or private charity, and may take into consideration the report of the county welfare department filed with the clerk of the court, pursuant to section 10-1313, R.C.M. 1947.

(3) In all civil and criminal proceedings relating to abuse, neglect or dependency the doctor-patient privilege and husband-wife privilege shall not apply to the extent any testimony relates to such matters.

Section 9. There is a new section to be numbered 10-1313, R.C.M. 1947, which reads as follows:

10-1313. Investigation of parents' financial ability. Whenever any petition is filed with the clerk of the district court alleging abuse, neglect or dependency, the clerk of such court shall immediately deliver to the county welfare department of the county in which the petition is filed, a copy of the petition with a notation thereon giving the day and time fixed by the court for hearing the petition. Upon receipt of such copy of petition the county welfare department shall make an investigation for the purpose of ascertaining whether the parent or parents, if any, of the child live within the county and the financial ability of such parent or parents, if any, to pay the cost of supporting the child in a foster home, and shall file with the clerk of such court, before the time fixed for the hearing, a written report of such investigation. If, upon hearing, the court finds and determines that the child has parents, or a parent, who is financially able to pay a part or the whole of such cost, and the child is ordered placed in a foster home, the court shall make an order requiring such parents, or parent, to pay such amount as the court may deem proper. A copy of the written report shall be provided to all parties to the proceeding before the time filed for hearing.

If the child is placed in a foster home, the state department of social and rehabilitation services shall pay one-half ($\frac{1}{2}$) of the cost thereof, and the county in which such child has residence shall pay the other one-half ($\frac{1}{2}$) thereof. Any amount collected from a parent or parents, when a child is placed in a foster home, shall be transmitted to the state department of social and rehabilitation services. The department shall then pay to the county one-half ($\frac{1}{2}$) of the amount so collected.

Section 10. There is a new section to be numbered 10-1314, R.C.M. 1947, which reads as follows:

10-1314. Judgment. (1) If a youth is found to be abused, neglected, or dependent, the court may enter its judgment making any of the following dispositions to protect the welfare of the youth:

(a) permit the youth to remain with his parents or guardian subject to those conditions and limitations the court may prescribe;

(b) transfer legal custody to any of the following:

(i) department of social and rehabilitation services;

(ii) a child-placing agency willing and able to assume responsibility for the education, care and maintenance of the youth and which is licensed or otherwise authorized by law to receive and provide care of the youth; or

(iii) a relative or other individual who, after study by a social service agency designated by the court, is found by the court to be qualified to receive and care for the youth;

(c) order any party to the action to do what is necessary to give effect to the final disposition, including undertaking medical and psychological evaluations, treatment and counseling;

(d) order such further care and treatment as the court may deem in the best interest of the youth.

(2) Whenever the court vests legal custody in any agency, institution or department it shall transmit with the dispositional judgment copies of any medical report, and such other clinical, predisposition or other reports and information as may be pertinent to the care and treatment of the youth.

(3) Any youth found to be abused, neglected or dependent may be committed to the Montana children's center, and if the center is unable to receive the child, or if, for any other reason, it appears to be in the best interest of the child, the court may make such other disposition of the child as the court deems best for his social and physical welfare. The form of commitment shall be as follows:

ORDER OF COMMITMENT

State of Montana, County of....., ss:

In the District Court for theJudicial District.

On the.....day of....., 19....,a minor of this county, was charged on the petition of....., of county attorney of.....county, with being an abused or neglected or dependent child. Upon due proof I find that it is for the best interest of the child that he be taken from the custody of his parents, guardian or other person having custody of him.

The names, addresses and occupations of the parents are:

Name Address Occupation

.....

The child's guardian is

The child is in the custody of

It is ordered thatbe committed to..... until discharged as provided by law.

Witness my hand thisday of.....A.D. 19....

Judge

(4) Transfer of legal custody of a child shall include guardianship of any assets or estate of the child, unless otherwise specified by the court.

(5) Except in cases in which the court permanently terminates all parental rights or rights of the guardian of the youth, the court shall retain jurisdiction over the case and may subsequently modify any disposition ordered pursuant to this section.

Section 11. There is a new section to be numbered 10-1315, R.C.M. 1947, which reads as follows:

10-1315. The department of social and rehabilitation services and the county welfare department shall have the primary responsibility to provide the protective services authorized by this act and shall have the authority pursuant to this act to take temporary, limited or permanent custody of a child when ordered to do so by the court, including the right to give consent to adoption.

Section 12. There is a new section to be numbered 10-1322, R.C.M. 1947, which reads as follows:

10-1322. Punishment of parents and other adults. (1) If the evidence indicates violation of the criminal code, it shall be the responsibility of the county attorney to file appropriate charges against the alleged offender.

(2) District court shall have original jurisdiction under this section.

Section 13. Sections 10-501 through 10-519, R.C.M. 1947, are repealed.

Section 14. Section 10-901 is renumbered Section 10-1303; Section 10-902 is renumbered Section 10-1304; Section 10-903 is renumbered Section 10-1305; Section 10-904 is renumbered Section 10-1306; Section 10-905 is renumbered Section 10-1307; Section 10-520 is renumbered Section 10-1316; Section 10-521 is renumbered Section 10-1317; Section 10-522 is renumbered Section 10-1318; Section 10-523 is renumbered Section 10-1319; Section 10-524 is renumbered Section 10-1320; and Section 10-525 is renumbered Section 10-1321.", and

As amended, do pass.

YARDLEY, Vice-Chairman

Report adopted.

February 19, 1974

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 889, respectfully report as follows: That House Bill No. 889 do pass.

LEE, Chairman

Report adopted.

February 19, 1974

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 896, respectfully report as follows: That House Bill No. 896 do not pass.

LEE, Chairman

February 19, 1974

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Bill No. 985, respectfully report as follows: That House Bill No. 985 do not pass.

YARDLEY, Vice-Chairman

February 19, 1974

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 1013, respectfully report as follows: That House Bill No. 1013 be amended in the title of the introduced bill on page 1, line 4 after the material: "an act" by inserting the new material: "amending Sections 41-817 and 41-818," and

Be further amended on page 1, after line 12 by omitting everything after the enacting clause and inserting in lieu thereof the following:

"Section 1. Section 41-817 is amended to read as follows:

'41-817. Definitions. (1) "[Handicapped] Severely handicapped person" means any individual:

[(a) who has a physical or mental disability, which constitutes a substantial handicap to employment, of such a nature that vocational rehabilitation services may reasonably be expected to render him fit to engage in a gainful occupation consistent with his capacities and abilities; or

(b) who, because of lack of social competence or mobility, experience, skills, training or other factors, is in need of vocational rehabilitation services in order to become fit to engage in a gainful occupation or to attain or maintain a maximum degree of self support or self care; or

(c) for whom vocational rehabilitation services are necessary to determine rehabilitation potential.]

(a) who has a physical or mental impairment which requires multiple services over an extended period of time and results from amputation, blindness, cancer, cerebral palsy, cystic fibrosis, deafness, heart disease, hemiplegia, respiratory or pulmonary dysfunction, mental retardation, mental illness, multiple sclerosis, muscular dystrophy, neurological disorders (including stroke and epilepsy), paraplegia, quadriplegia and other spinal cord conditions, renal failure and any other disability, specified by the department in regulations it shall prescribe; and/or

(b) who, because of lack of social competence, mobility, experience, skills, training, or other successful characteristics, is in need of sheltered employment or work activity services in a protective setting.

(2) "Physical or mental disability" means a physical or mental condition which materially limits, contributes to limiting or, if not corrected, will probably result in limiting an individual's activities or functioning. The term includes behavioral disorders characterized by deviant social behavior or impaired ability to carry out normal relationships with family and community which may result from vocational, educational, cultural, social, environmental or other factors.

(3) "Vocational rehabilitation services" means goods or services provided handicapped persons to enable such persons to be fit for gainful occupation or to attain or maintain a maximum degree of self-support or self-care and includes every type of goods and services for which federal funds are available for vocational rehabilitation purposes, including, but not limited to, the establishment, construction, development, operation and maintenance of workshops and rehabilitation facilities.

(4) "Self-care" means a reasonable degree of restoration from dependency upon others for personal needs and care and includes but is not limited to ability to live in own home, rather than requiring nursing home care and care for self rather than requiring attendant care.

(5) "Department" means the department of social and rehabilitation services.

(6) "Sheltered workshop" means a charitable organization or institution conducted not for profit, but for the purpose of carrying out a recognized program of rehabilitation for handicapped workers, and/or providing such individuals with remunerative employment or other occupational rehabilitating activity of an educational or therapeutic nature.

(7) "Work activity center" means a physically separated department of a workshop having an identifiable program, separate supervision and records, planned and designed exclusively to provide therapeutic activities for handicapped workers whose physical or mental impairment is so severe as to make their productive capacity inconsequential. Therapeutic activities include custodial activities (such as activities where the focus is on teaching the basic skills of living), and any purposeful activity so long as work or production is not the main purpose.

Section 2. Section 41-818 is amended to read as follows:

'41-818. Purchase of services for severely handicapped persons — [maximum amount —] determination of eligibility — register of qualified organizations — rules and regulations.

(1) The department may purchase [from any source, by contract, vocational rehabilitation services for handicapped persons, payments for such services to be made subject to procedures and fiscal controls approved by the department of administration.] sheltered employment services from any sheltered workshop in Montana or work activity services from any work activity center within Montana for severely handicapped persons. The performance of and payment for such services shall be subject to post-audit review by the state auditor.

(2) Notwithstanding any other provision of this act, when the department determines that a mentally retarded, severely handicapped or disadvantaged person can reasonably be expected to benefit from, or in his best interests reasonably requires extended sheltered employment or supervised work furnished by an approved nonprofit organization, the department is authorized to contract with such organization for the furnishing of such sheltered employment or supervised work to such mentally retarded, severely handicapped or disadvantaged person. The department is authorized to expend for or toward the cost of providing such shel-

tered employment or supervised work a sum or sums not to exceed one thousand five hundred dollars (\$1,500) per annum for each such mentally retarded, severely handicapped or disadvantaged person in order to maintain him as a contributing and self-supporting member of society as an alternative to dependency; provided, that the department is authorized to expend in excess of one thousand five hundred dollars (\$1,500) per annum for each such mentally retarded, severely handicapped or disadvantaged person when federal or other funding becomes available to the state agency for such purpose and such additional expenditures may continue as long as the additional federal or other funding is or becomes available.

(3) The determination of eligibility for such service shall be made for each individual by the department.]

[(4)] (2) The department shall maintain a register of nonprofit organizations which it [has] and other appropriate state and federal agencies have inspected and certified as meeting required standards and as qualifying to serve the needs of such [mentally retarded,] severely handicapped or disadvantaged persons. Eligibility of organizations to receive the funds specified by this act shall be based upon standards and criteria promulgated by the department.

[(5)] (3) The department is authorized to promulgate such rules and regulations as it may deem necessary or proper to carry out the provisions of this section.'

Section 3. Effective date. This act is effective on its passage and approval.", and

As amended, do pass.

(Material in brackets denotes cancelled type.)

LEE, Chairman

Report adopted.

February 19, 1974

Mr. Speaker: We, your Committee on Natural Resources, having had under consideration House Bill No. 1014, respectfully report as follows: That House Bill No. 1014 do pass.

SHELDEN, Chairman

Report adopted.

February 19, 1974

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 1053, respectfully report as follows: That House Bill No. 1053 do pass.

LEE, Chairman

Report adopted.

February 19, 1974

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Bill No. 1075, respectfully report as follows: That House Bill No. 1075 do not pass.

LEE, Chairman

February 19, 1974

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration House Joint Resolution No. 43, respectfully report as follows: That House Joint Resolution No. 43 be amended in the introduced bill on page 1, line 16 after the word: "be" by omitting the word: "embalmed" and inserting in lieu thereof the new material: "prepared for shipment by a licensed embalmer if they will not reach their destination", and

Be further amended on page 1, line 20, after the material: "Whereas," by omitting the word: "the", and inserting in lieu thereof the word: "these", and

Be further amended on page 1, line 20 after the word: "requirements" by omitting the words: "on embalming", and

As amended, be adopted.

LEE, Chairman

Report adopted.

February 19, 1974

Mr. Speaker: We, your Committee on Natural Resources, having had under consideration House Joint Resolution No. 73, respectfully report as follows: That House Joint Resolution No. 73 do pass.

SHELDEN, Chairman

Report adopted.

February 19, 1974

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Joint Resolution No. 82, respectfully report as follows: That House Joint Resolution No. 82 be adopted.

YARDLEY, Vice-Chairman

Report adopted.

February 19, 1974

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 500, respectfully report as follows: That Senate Bill No. 500 be not concurred in.

YARDLEY, Vice-Chairman

February 19, 1974

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 516, respectfully report as follows: That Senate Bill No. 516 be not concurred in.

YARDLEY, Vice-Chairman

February 19, 1974

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 566, respectfully report as follows: That Senate Bill No. 566 be concurred in.

YARDLEY, Vice-Chairman

Report adopted.

February 19, 1974

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 584, respectfully report as follows: That Senate Bill No. 584 be concurred in.

YARDLEY, Vice-Chairman

Report adopted.

February 19, 1974

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 599, respectfully report as follows: That Senate Bill No. 599 be referred to Taxation Committee.

YARDLEY, Vice-Chairman

Report adopted.

February 19, 1974

Mr. Speaker: We, your Committee on State Administration, having had under consideration Senate Bill No. 605, respectfully report as follows: That Senate Bill No. 605 be concurred in.

BRAND, Chairman

Report adopted.

February 19, 1974

Mr. Speaker: We, your Committee on State Administration, having had under consideration Senate Bill No. 606, respectfully report as follows: That Senate Bill No. 606 be concurred in.

BRAND, Chairman

Report adopted.

MOTIONS

Kosena moved that House Bill No. 776 be referred to the Committee on Local Government.

Motion carried.

Gunderson moved that the Senate Amendments to House Bill No. 386 be taken from the Committee on Education and placed on Second Reading tomorrow.

Motion carried.

Kvaalen moved that House Bill No. 733 be taken from the Committee on Education and referred to Second Reading. Kvaalen requested a roll call vote with the Ayes and Nays spread on the Journal. Sufficient seconds arose and the motion failed by the following vote:

Ayes: Ageson, Ainsworth, Asbjornson, Barrett, Bell, Brown, Burnett, Campbell, Castles, Clemow, Cox, East, Ellerd, Fagg, Forsgren, Galt, Glennen, Hager, Haines, H. Harper, Holtz, Hubing, Jones, Kessner, Kolstad, Kvaalen, Lockrem, Lucas, Lund, Lundgren, Mann, Marbut, Marks, Mercer, Olson, Rolfe, Schye, Seifert, Selstad, Smith, Turman, Turner, Ulmer, Walborn, Warfield. Total 45.

Noes: Baeth, Bardanouve, Baucus, Bennetts, Bradley, Brand, Colberg, Cotton, Driscoll, Edland, Fasbender, Fleming, Flynn, Greely, Gunderson, Hageman, Halvorson, R. Harper, Healy, Hodges, Holmes, Huennekens, Jacobsen, Johnston, Kendall, Kimble, Kosena, Laas, Lee, Lien, Lombardi, Lynch, McKittrick, Manuel, Mehrens, Menahan, Murphy, Norman, Prevost, Quilici, Regan, Roberts, Schepens, Shelden, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Watt, Yardley, Zimmer, Mr. Speaker. Total 54.

Paired: Clemow, Galt, Haines, Holtz, Hubing, Marks, Mercer, Schye, Walborn, Aye; Bradley, Edland, Greely, Jacobsen, Laas, Lien, McKittrick, Murphy, Zimmer, Nay.

Excused: Hall. Total 1.

Absent or not voting: Burnett. Total 1.

Gunderson moved that House Bill No. 620 be taken from printing and placed on Second Reading.

Motion carried.

Fasbender moved that the House adjourn until 1:30 p.m., February 20, 1974.

Motion carried.

House adjourned.

HAROLD E. GERKE, Speaker

STEVE HELMBRECHT, Assistant Chief Clerk

THIRTY-NINTH LEGISLATIVE DAY

Helena, Montana
February 20, 1974

House Chambers
Capitol Building

House convened at 1:30 p.m., Mr. Speaker in the Chair.

Invocation by the Chaplain.

Pledge of Allegiance to the Flag.

Roll call. All members present except Haines, Hall, Holtz, Mercer and Zimmer, excused.

Quorum present.

Mr. Speaker: We, your Committee on Bills and Journal, having examined the daily journal for the Thirty-eighth Legislative Day, find the same to be correct.

QUILICI, Chairman

REPORTS OF STANDING COMMITTEES

February 20, 1974

The following bills and resolution were signed in the office of the Speaker of the House of Representatives on February 19, 1974:

House Bill No. 663, House Bill No. 763, House Bill No. 804, House Bill No. 812, Senate Bill No. 490, Senate Bill No. 548, Senate Bill No. 552, Senate Joint Resolution No. 43.

EDWIN A. SMITH, Chief Clerk
House of Representatives

February 20, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills and resolutions correctly printed: House Bill No. 280, House Bill No. 326, House Bill No. 567, House Bill No. 683, House Bill No. 798, House Bill No. 864, House Bill No. 889, House Bill No. 1014, House Bill No. 1017, House Bill No. 1047, House Bill No. 1053, House Bill No. 1062, House Joint Resolution No. 73, House Joint Resolution No. 82, House Bill No. 722, House Bill No. 785, House Bill No. 1099.

QUILICI, Chairman

February 20, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills and resolution correctly engrossed: House Bill No. 474, House Bill No. 1005, House Bill No. 1039, House Bill No. 1056, House Joint Resolution No. 80.

QUILICI, Chairman

February 20, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills considered correctly engrossed: House Bill No. 887, House Bill No. 924, House Bill No. 964, House Bill No. 1021.

QUILICI, Chairman

February 20, 1974

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bill No. 177 and House Bill No. 752 do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day, at the hour of 9:30 o'clock a.m. delivered to the Governor for his approval.

QUILICI, Chairman

February 20, 1974

Mr. Speaker: We, your Committee on Highways and Transportation, having had under consideration House Bill No. 494, respectfully report as follows: That House Bill No. 494 be amended on page 1, Section 1, line 12 of the introduced bill following the word: "section" by striking the figures: "53-103" and inserting in lieu thereof the figures: "53-104 and having a gross vehicle weight of 8,000 or less and that are licensed for use on the highways of the state", and

Be further amended in Section 1, page 1, line 21 following the word: "inspected" by striking the material: "at least once in each calendar year" and inserting in lieu thereof the following material: "as provided by this act", and

Be further amended on page 1, Section 2, line 25 following the word: "require" by striking the material: "all vehicles which have been damaged in the amount of two hundred fifty dollars (\$250) or more to be reinspected and certified prior to operation on the highways of this state." and inserting in lieu thereof the following material: "vehicles described in section 1 to be inspected at the following times:

(1) within thirty (30) days before a vehicle is sold, provided, however, that no inspection is required prior to the sale of a vehicle to a dealer;

(2) before a vehicle that has been damaged in the amount of two hundred fifty dollars (\$250) or more may be operated on the highways of the state;

(3) before the end of the fourth year following the effective date of this act and no less than once every four (4) years thereafter.", and

Be further amended on page 4, Section 5, line 2 following the word: "the" by striking the words: "equipment listed below" and inserting in lieu thereof the word: "vehicle", and

Further amend page 4, Section 5, line 3 following: "adjustment" by striking the punctuation ":" and inserting in lieu thereof the material: "in accordance with the rules and regulations of the department and applicable federal vehicle safety inspection standards.", and

Further amend page 4, Section 5, line 4 by striking the material:

- "(1) wheels and tires,
- (2) steering alignment and suspension,
- (3) brakes,
- (4) lighting and electrical,
- (5) glass,
- (6) exhaust and fuel systems,
- (7) body and sheet metal.", and

Be further amended on page 4, Section 6, line 16 following the words: "shall be" by striking the material: "five dollars (\$5) and inserting in lieu thereof the following material: "nine dollars (\$9)", and

Further amend page 6, Section 10, line 24 following the words: "as a" by striking the word: "collection" and inserting in lieu thereof the word: "collectors", and

Further amend page 8, Section 16, line 9 following the material: "January 1," by striking the figures: "1974" and inserting in lieu thereof the figures: "1975", and

As amended, do not pass.

LAAS, Chairman

February 19, 1974

Mr. Speaker: We, your Committee on Highways and Transportation, having had

under consideration House Bill No. 634, respectfully report as follows: That House Bill No. 634 be amended in the key line, page 1, line 4 of the introduced bill by adding the following material: "32-2412", and

Further amend the title, page 1, line 6 following the word "act" by striking the remainder of line 6 and all of lines 7 and 8, and

Be further amended in the title, page 1, line 9 following the word "department" by inserting the words: "of highways", and

Be further amended in the title, page 1, line 9 by striking the word "such" and inserting in lieu thereof the words: "open range", and

Be further amended in the title, page 1, line 12 following the figures "32-2426" by striking the word: "and" and inserting in lieu thereof the punctuation: ",", and

Be further amended in the title, page 1, line 12 following the figures and punctuation: "32-2427" by inserting the word and figures: "and 32-2412", and

Be it further amended in sections 5, 6 and 7 pages 5 and 6 by striking the entire sections and renumbering the remaining sections, and

Be further amended in Section 8, page 6, line 9 following the word "department" by striking the words: "is authorized to" and inserting in lieu thereof the word: "shall", and

Be further amended in Section 8, page 6, line 12 following the word "Gates" by inserting in lieu thereof the following words and punctuation: "stock underpasses, water facilities", and

Further amend following Section 8, page 6, following line 15 by adding the following new section:

"Section 6. Section 32-2412, R.C.M. 1947, is amended to read as follows:

'32-2412. Seeding along highways. (1) After a federal-aid or state highway is constructed, the commission shall seed borrow pits, slopes and shoulders to an adaptable perennial grass or combination of perennial grasses and legumes whenever establishment of perennial grass covers seem suitable. The seed shall be certified.

(2) The commission shall seek joint recommendations and specifications as to time and method of seeding, fertilizing practices and grass species from the Montana extension service, the experiment station, and the soil conservation service.

(3) After a right of way in open range has been fenced pursuant to sections 32-2426 or 32-2427, the commission may seed the land within the fence to a grass which may be cropped for hay, and may lease such lands or sell the right to take such hay to qualified persons.", and

As amended, do pass.

LAAS, Chairman

Report adopted.

February 20, 1974

Mr. Speaker: We, your Committee on Labor and Employment Relations, having had under consideration House Bill No. 735, respectfully report as follows: That House Bill No. 735 do not pass.

McKITTRICK, Chairman

February 20, 1974

Mr. Speaker: We, your Committee on Local Government, having had under consideration House Bill No. 776, respectfully report as follows: That House Bill No. 776 be amended on page 7, Second Reading, Section 4, lines 17 and 18 by striking the following words: "provide for legislation to set an effective date", and insert in lieu thereof the following words: "This act is effective on its passage and approval.", and

As amended, do pass.

KOSENSA, Chairman

Report adopted.

February 20, 1974

Mr. Speaker: We, your Committee on Highways and Transportation, having had under consideration House Bill No. 850, respectfully report as follows: That House Bill No. 850 be amended in the title, page 1, line 5 of the introduced bill, following the word "on" by inserting the word: "certain", and

Be further amended in Section 1, page 1, line 11 following the word and punctuation "warning." by striking the remainder of line 11 and all of lines 12 through 19 and inserting in lieu thereof the following new material:

"(a) No person who owns or is entitled to the possession of any livestock may permit that livestock to create a traffic hazard upon a highway that is part of the state highway system.

(b) Whenever a peace officer sees unattended livestock on a part of the state highway system and determines that it is creating a traffic hazard, he shall make such efforts as may be appropriate to reduce any immediate hazard to traffic, including impoundment of the livestock. He shall then attempt to identify the owner or probable owner or possessor of the livestock and shall notify the owner or probable owner or possessor and the county sheriff by the fastest available means that the livestock is creating a traffic hazard.

(c) When the person owning or possessing the livestock has been finally identified, the sheriff shall provide the owner or possessor of the livestock with a written notice detailing the time and place and description of the stock that were creating a hazard in violation of this act. The notice shall include a statement of the penalty for violation of this act and shall list the details of any other violation of this act that may be on record against the owner or possessor so warned.

(d) A sheriff or other peace officer who impounds livestock in accordance with this act shall notify the rightful owner of that impounded livestock. If the sheriff or peace officer cannot determine the rightful owner, then a state stock inspector or deputy state stock inspector of the county may be called to examine the livestock for brands to determine ownership. The rightful owners shall be notified by the inspector and the usual inspection fees and mileage shall be paid by the owner of the livestock.", and

Be further amended in Section 2, page 2, line 4 following the word "exceed" by inserting the following words: "one hundred dollars (\$100) plus an additional penalty of", and

Be further amended in Section 2, page 2, line 5 following the word "animal" by striking the words: "seen on the highway" and inserting in lieu thereof the words: "in violation of this act", and

Be further amended in Section 2, page 2, line 6 following the words "paid to the" by striking the words: "county for highway maintenance" and inserting in lieu thereof the words: "road fund for the county", and

Be further amended following Section 4, page 3 following line 1 by adding the following new material:

"Section 6. Definitions. When used in this act, the term 'livestock' means cattle, sheep, swine, horses, mules, and goats.", and

As amended, do pass.

LAAS, Chairman

Report adopted.

February 20, 1974

Mr. Speaker: We, your Committee on Local Government, having had under con-

sideration House Bill No. 1048, respectfully report as follows: That House Bill No. 1048 do pass.

KOSENA, Chairman

Report adopted.

February 20, 1974

Mr. Speaker: We, your Committee on Labor and Employment Relations, having had under consideration House Resolution No. 50, respectfully report as follows: That House Resolution No. 50 be amended in the corrected introduced copy on page 2, line 16 after the word "as" by omitting the word: "the" and inserting in lieu thereof the word: "an", and

As amended, be adopted.

McKITTRICK, Chairman

Report adopted.

February 20, 1974

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration Senate Bill No. 585, respectfully report as follows: That Senate Bill No. 585 be concurred in.

STAIGMILLER, Chairman

Report adopted.

February 20, 1974

Mr. Speaker: We, your Committee on Local Government, having had under consideration Senate Bill No. 590, respectfully report as follows: That Senate Bill No. 590 be concurred in.

KOSENA, Chairman

Report adopted.

February 20, 1974

Mr. Speaker: We, your Committee on Local Government, having had under consideration Senate Bill No. 653, respectfully report as follows: That Senate Bill No. 653 be concurred in.

KOSENA, Chairman

Report adopted.

February 20, 1974

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 668, respectfully report as follows: That Senate Bill No. 668 be amended on page 3, Section 1, Subsection (4), line 3 of the Senate Third Reading bill after the word "The" by inserting the new word: "maximum", and

Be further amended on page 3, Section 1, Subsection (4), line 9 of the Senate Third Reading bill after the word "The" by inserting the new word: "maximum", and

Be further amended on page 3, Section 1, Subsection (4), line 9 of the Senate Third Reading bill after the word "time" by inserting the new word: "allowable", and

As amended, be concurred in.

YARDLEY, Vice-Chairman

Report adopted.

February 20, 1974

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 712, respectfully report as follows: That Senate Bill No. 712 be amended on page 1, line 7, title, of the Third Reading bill after the word "to" by striking the material: "provide for withholding of certain student documents" and inserting in lieu thereof the new material: "allow prohibition of student registration", and

Be further amended on page 2, Section 1, Subsection (g), line 15 of the Senate Third Reading bill after the material "fines for" by inserting the new material: "the previous three (3) years for", and

As amended, be concurred in.

YARDLEY, Vice-Chairman

Report adopted.

February 20, 1974

Mr. Speaker: We, your Committee on Local Government, having had under consideration Senate Joint Resolution No. 58, respectfully report as follows: That Senate Joint Resolution No. 58 be concurred in.

KOSENSA, Chairman

Report adopted.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 892 was adopted by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Barrett, Baucus, Brand, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Gunderson, Hageman, Hager, Halvorson, H. Harper, R. Harper, Healy, Hodges, Hubing, Huennekens, Jacobsen, Kendall, Kimble, Kolstad, Kosena, Lee, Lien, Lombardi, Lucas, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Quilici, Regan, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmillier, Stoltz, Swanberg, Tierney, Towe, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 74.

Noes: Bradley, Turman. Total 2.

Excused: Haines, Hall, Holtz, Mercer, Zimmer. Total 5.

Absent or not voting: Ainsworth, Bardanouve, Bell, Bennetts, Brown, Ellerd, Fagg, Greely, Holmes, Johnston, Jones, Kessner, Kvaalen, Laas, Lockrem, Lund, Marks, Roberts, Stephens. Total 19.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 896 was adopted by the following vote:

Ayes: Aageson, Ainsworth, Baeth, Bardanouve, Bell, Bradley, Brand, Campbell, Castles, Clemow, Cotton, Cox, East, Edland, Fagg, Fleming, Flynn, Forsgren, Galt, Glennen, Gunderson, Hageman, Hager, Halvorson, H. Harper, Healy, Hodges, Holmes, Hubing, Jacobsen, Johnston, Jones, Kendall, Kimble, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lundgren, Lynch, Mann, Manuel, Marbut, Marks, Menahan, Murphy, Norman, Prevost, Quilici, Regan, Rolfe, Schepens, Seifert, Shelden, Smith, Staigmillier, Stoltz, Tierney, Turman, Turner, Ulmer, Warfield, Yardley, Mr. Speaker. Total 68.

Noes: Asbjornson, Barrett, Burnett, R. Harper, Lund, McKittrick, Olson, Selstad, Swanberg, Walborn. Total 10.

Excused: Haines, Hall, Holtz, Mercer, Zimmer. Total 5.

Absent or not voting: Baucus, Bennetts, Brown, Colberg, Driscoll, Ellerd, Fasbender, Greely, Huennekens, Kessner, Kolstad, Mehrens, Roberts, Schye, Stephens, Towe, Watt. Total 17.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 985 was adopted by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Bell, Brand, Burnett, Campbell, Castles, Clemow, Cotton, Cox, Driscoll, East, Edland, Fagg, Fleming, Flynn, Forsgren, Galt, Glennen, Gunderson, Hageman, Hager, Halvorson, H. Harper, R. Harper, Healy, Hodges, Hubing, Jacobsen, Johnston, Jones, Kendall, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Menahan, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 79.

Noes: None.

Excused: Haines, Hall, Holtz, Mercer, Zimmer. Total 5.

Absent or not voting: Baucus, Bennetts, Bradley, Brown, Colberg, Ellerd, Fasbender, Greely, Holmes, Huennekens, Kessner, Lucas, Mehrens, Schye, Towe, Turman. Total 16.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 996 was adopted by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Barrett, Baucus, Bell, Burnett, Campbell, Castles, Clemow, Cotton, Driscoll, Edland, Fleming, Flynn, Forsgren, Galt, Glennen, Hageman, Halvorson, H. Harper, Healy, Hodges, Jacobsen, Johnston, Jones, Kendall, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lombardi, Lundgren, McKittrick, Mann, Manuel, Marks, Menahan, Norman, Olson, Prevost, Quilici, Roberts, Rolfe, Schepens, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Tierney, Turner, Ulmer, Walborn, Yardley, Mr. Speaker. Total 61.

Noes: Bardanouve, Bradley, Brand, Colberg, Cox, Fagg, Hager, R. Harper, Holmes, Huennekens, Lund, Marbut, Regan, Stoltz, Towe, Turman, Watt. Total 17.

Excused: Haines, Hall, Holtz, Mercer, Zimmer. Total 5.

Absent or not voting: Bennetts, Brown, East, Ellerd, Fasbender, Greely, Gunderson, Hubing, Kessner, Lockrem, Lucas, Lynch, Mehrens, Murphy, Schye, Swanberg, Warfield. Total 17.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 1006 was adopted by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bell, Burnett, Campbell, Castles, Clemow, Cotton, East, Edland, Fleming, Flynn, Galt, Glennen, Hageman, Halvorson, Healy, Hubing, Jacobsen, Johnston, Jones, Kendall, Kessner, Kolstad, Kosena, Kvaalen, Lee, Lien, Lockrem, Lombardi, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marks, Mehrens, Menahan, Olson, Prevost, Quilici, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Swanberg, Tierney, Turner, Ulmer, Walborn, Mr. Speaker. Total 58.

Noes: Bardanouve, Barrett, Baucus, Bradley, Brand, Colberg, Cox, Driscoll, Fagg, Gunderson, Hager, H. Harper, R. Harper, Hodges, Holmes, Huennekens, Kimble, Laas, Marbut, Murphy, Norman, Regan, Rolfe, Stoltz, Towe, Turman, Warfield, Watt, Yardley. Total 29.

Excused: Haines, Hall, Holtz, Mercer, Zimmer. Total 5.

Absent or not voting: Bennetts, Brown, Ellerd, Fasbender, Forsgren, Greely, Lucas, Roberts. Total 8.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 1018 was adopted by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Barrett, Baucus, Bell, Burnett, Campbell, Castles, Clemow, Cotton, Cox, East, Edland, Fleming, Flynn, Forsgren, Galt, Glennen, Gunderson, Hageman, Halvorson, Healy, Hubing, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lund, Lundgren, Lynch, Marks, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Quilici, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Swanberg, Tierney, Towe, Turner, Ulmer, Walborn, Warfield, Mr. Speaker. Total 67.

Noes: Bardanouve, Bradley, Brand, Colberg, Driscoll, Fagg, Hager, H. Harper, R. Harper, Holmes, Huennekens, McKittrick, Mann, Manuel, Marbut, Regan, Stoltz, Turman, Watt, Yardley. Total 20.

Excused: Haines, Hall, Holtz, Mercer, Zimmer. Total 5.

Absent or not voting: Bennetts, Brown, Ellerd, Fasbender, Greely, Hodges, Lucas, Roberts. Total 8.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 1075 was adopted by the following vote:

Ayes: Aageson, Ainsworth, Baeth, Bardanouve, Baucus, Bell, Brand, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Driscoll, East, Edland, Fleming, Flynn, Forsgren, Galt, Gunderson, Hageman, Halvorson, Healy, Hodges, Hubing, Jacobsen, Johnston, Jones, Kendall, Kessner, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marks, Mehrens, Menahan, Murphy, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Seifert, Selstad, Shelden, Smith, Staigmilller, Stephens, Swanberg, Tierney, Turner, Ulmer, Walborn, Watt, Yardley, Mr. Speaker. Total 69.

Noes: Barrett, Bradley, Cox, Fagg, Glennen, Hager, H. Harper, R. Harper, Holmes, Huennekens, Kimble, Marbut, Norman, Olson, Stoltz, Towe, Turman. Total 17.

Excused: Haines, Hall, Holtz, Mercer, Zimmer. Total 5.

Absent or not voting: Asbjornson, Bennetts, Brown, Ellerd, Fasbender, Greely, Lucas, Schye, Warfield. Total 9.

In accordance with the 24 hour rule, the adverse committee report on Senate Bill No. 500 was adopted by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bradley, Brand, Burnett, Campbell, Castles, Clemow, Colberg, Cox, Driscoll, East, Edland, Fleming, Flynn, Forsgren, Galt, Glennen, Gunderson, Hageman, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Quilici, Regan, Rolfe, Schepens, Seifert, Selstad, Shelden, Smith, Staigmilller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 82.

Noes: Fagg, Hager, Hubing, Roberts. Total 4.

Excused: Haines, Hall, Holtz, Mercer, Zimmer. Total 5.

Absent or not voting: Bennetts, Brown, Cotton, Ellerd, Fasbender, Greely, Lucas, Schye, Walborn. Total 9.

In accordance with the 24 hour rule, the adverse committee report on Senate Bill No. 516 was adopted by the following vote:

Ayes: Ainsworth, Asbjornson, Baeth, Bardanouve, Baucus, Bell, Bradley, Brand, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, Edland, Fagg, Fleming, Flynn, Forsgren, Glennen, Gunderson, Hager, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Huennekens, Johnston, Jones, Kendall, Kessner, Kimble, Kosena, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lynch, McKittrick, Mann, Manuel, Marbut, Mehrens, Menahan, Murphy, Prevost, Quilici, Regan, Rolfe, Schepens, Shelden, Smith, Staigmilller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turner, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 70.

Noes: Aageson, Barrett, Burnett, East, Galt, Hageman, Hubing, Jacobsen, Kolstad, Kvaalen, Lundgren, Marks, Norman, Olson, Seifert, Selstad, Walborn. Total 17.

Excused: Haines, Hall, Holtz, Mercer, Zimmer. Total 5.

Absent or not voting: Bennetts, Brown, Ellerd, Fasbender, Greely, Roberts, Schye, Turman. Total 8.

MESSAGE FROM THE GOVERNOR

February 20, 1974

Honorable Harold Gerke
Speaker of the House of Representatives
Capitol
Helena, Montana

Dear Mr. Speaker:

I have the honor to inform you that I have this day approved the following measures:

House Bills Nos.: 645, 779 and 951

Sincerely,

THOMAS L. JUDGE
Governor

cc: Honorable Gordon McOmber

MESSAGES FROM THE OTHER HOUSE

February 19, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bills and Joint Resolution were this day read three several times, and passed, title and history agreed to, and the bills and resolution are herewith transmitted to the House for concurrence:

Senate Bill No. 593 introduced by Carl and Siderius

Senate Bill No. 625 introduced by Darrow and Moore

Senate Bill No. 626 introduced by Drake and Boylan

Senate Bill No. 641 introduced by Flynn and Moore

Senate Joint Resolution No. 63 introduced by Bollinger and Klindt

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

February 19, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day on Committee report, not concurred in, report adopted, and the bills are herewith returned to the House:

House Bill No. 66 introduced by Haines, Halvorson, et al

House Bill No. 629 introduced by Stephens, Gunderson, et al

House Bill No. 717 introduced by Bradley, Regan, et al

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

February 19, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read three times and concurred in, title and history agreed to and the said bills are herewith returned to the House:

House Bill No. 769 introduced by Gerke and Fasbender

House Bill No. 800 introduced by Gunderson, Yardley, et al

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

February 19, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was this day read third time and concurred in as amended, title and history agreed to and the said bill is herewith returned to the House for concurrence in Senate amendments:

House Bill No. 593 introduced by Marbut, Fasbender, et al

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following bills and resolutions were introduced, read first time and referred to committees:

House Resolution No. 59, introduced by Brand, Hager, Warfield, Yardley: A Resolution of the House of Representatives of the State of Montana urging federal agencies to secure a two (2) year moratorium on the abandonment of branch rail lines in Montana. Referred to Committee on Business and Industry.

Senate Bill No. 593, introduced by Carl, Siderius: A bill for an act entitled: "An act to prohibit camping in rest areas along the interstate highways in Montana; and providing penalties." Referred to Committee on Highways and Transportation.

Senate Bill No. 625, introduced by Darrow, Moore: A bill for an act entitled: "An act creating a Department of Planning and Community Development; transferring functions to the department from the Departments of Fish and Game and Intergovernmental Relations; providing an effective date; amending Sections 82A-104, 82A-902, and 82A-2001.1, R.C.M. 1947; and repealing Sections 82-3701, 82-3702, 82-3703, 82-3704, 82-3705, 82-3706, 82-3707, and 82-3709, R.C.M. 1947." Referred to Committee on State Administration.

Senate Bill No. 626, introduced by Drake, Boylan: A bill for an act entitled: "An act amending Sections 31-201, 31-209, 31-210, 31-213, and 31-223, R.C.M. 1947, to modify the Montana Highway Patrolmen's Retirement System; and repealing Section 31-212, R.C.M. 1947." Referred to Committee on State Administration.

Senate Bill No. 641, introduced by Flynn, Moore: A bill for an act entitled: "An act amending Section 80-2402, R.C.M. 1947, to provide that the Superintendent of the Warm Springs State Hospital shall be an experienced hospital administrator; and providing an effective date." Referred to Committee on State Administration.

Senate Joint Resolution No. 63, introduced by Bollinger, Klindt: A Joint Resolution of the Senate and the House of Representatives of the State of Montana directing the Committee on Priorities to assign the Legislative Consumer Committee and the Consumer Counsel to conduct a study, to work in conjunction with other appropriate government agencies to achieve equitable freight rates for commodities shipped within or to and from the State of Montana by rail, and to report its progress and recommendations to the 1975 Session of the Legislature. Referred to Committee on Business and Industry.

SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)

Swanberg moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading under the rules of the previous sitting. Motion carried.

McKittrick in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

February 20, 1974

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That House Bill No. 371 be amended in Section 6, page five, line 2 by adding the word "received" after the word "funds" (55-0), and

As amended, do pass. (68-17)

That House Bill No. 749 be amended in the second reading bill as follows:

Amend the title, page 1, line 6 following the word "penalties" by inserting the punctuation and words: "; and providing an effective date", and

Be further amended in Section 2, Subsection (6), page 3, lines 10 and 11 by striking the material: "'Superintendent' means the superintendent of public instruction." and inserting in lieu thereof the material: "'Department' means the department of business regulation.", and

Be further amended in Section 2, page 3, lines 13 and 16 by striking in each line the word: "superintendent" and inserting in lieu thereof the word: "department", and

Be further amended in Section 3, Subsection (1), page 4, line 11 by striking the word: "superintendent" and inserting in lieu thereof the word: "department", and

Be further amended in Section 4, page 5, lines 2, 4, and 6 by striking in each line the word: "superintendent" and inserting in lieu thereof the word: "department", and

Be further amended in Section 4, page 5, lines 6 and 7 by striking in each line the word: "his" and inserting in lieu thereof the word: "its", and

Be further amended on page 5, following line 9 by inserting the following new section:

"Section 5. Advisory council — meetings — expenses — quorum. (1) There is created an advisory council. The council is composed of five (5) members appointed by the governor. Two (2) members shall represent the Montana proprietary school association, one (1) member shall represent the advisory council for vocational education, one (1) member shall represent the Montana personnel and guidance association, and one (1) member from the public at large who has no connection with education. Members of the council shall serve for five (5) years, except that the initial appointments shall be one (1) for three (3) years, one (1) for four (4) years, and one (1) for five (5) years.

(2) The council shall meet at least annually in Helena and shall conduct special meetings on the call of the chairman, or by the request of at least two (2) members of the council.

(3) Members of the council shall receive no compensation, but shall receive actual and necessary expenses incurred while in the performance of council duties.

(4) A majority of the council constitutes a quorum for the conduct of business but at least two (2) members must concur to pass any matter before the council.

(5) The council shall advise the department on policies, rules, regulations and procedures necessary for carrying out the provisions of this act.", and by renumbering the following sections accordingly; and

Be further amended in Section 5, page 5, lines 10 and 11 by striking in each line the word: "superintendent" and inserting in lieu thereof the word: "department", and

Be further amended in Section 5, Subsection (1), page 5, lines 17 through 19 by striking the material: "provided the board of public education and board of regents of higher education have first approved such criteria;" and inserting in lieu thereof the new material: "provided the requirements of the Administrative Procedure Act for rule-making procedures have been complied with;," and

Be further amended in Section 5, Subsection (2), page 5, line 20 by striking the word: "he" and inserting in lieu thereof the word: "it", and

Be further amended in Section 5, Subsection (4), page 6, line 9 by striking the word: "superintendent" and inserting in lieu thereof the word: "department", and

Be further amended in Section 5, page 6, line 17 following the word: "establish" by inserting the words: "with the advice of the advisory council", and

Be further amended in Section 5, Subsection (6), page 6, lines 18 through 20, by striking the material: "after approval by the board of public education and the board of regents of higher education," and inserting in lieu thereof the material: "provided the requirements of the Montana Administrative Procedure Act for rule making procedures have been complied with;," and

Be further amended in Section 5, Subsections (6) and (7), page 6, lines 21 and 24 by striking in each line the word: "he" and inserting in lieu thereof the word: "it", and

Be further amended in Section 5, Subsection (7), page 6, line 24 by striking the word: "his" and inserting in lieu thereof the word: "its", and

Be further amended in Section 5, Subsection (7), page 7, line 1 by striking the word: "him," and inserting in lieu thereof the word: "it", and

Be further amended in Section 5 and Section 6, page 7, lines 2, 7, and 12 by striking in each line the word: "superintendent" and inserting in lieu thereof the word: "department", and

Be further amended in Section 6, Subsection (1)(a)(iv), page 8, line 16 by striking the word: "superintendent;" and inserting in lieu thereof the word: "department;," and

Be further amended in Section 6, following Subsection (b), page 9, line 20 by inserting the following new material:

"(c) no post secondary educational institution may use the term 'university' or 'college' without authorization to do so from the department of consultation with the commissioner of higher education; provided that any institution subject to this act located within this state which used either term on January 1, 1974 may continue to do so by filing an affidavit to that effect with the department prior to January 1, 1975.", and

Be further amended in Section 6, Subsection (2), page 9, line 23 by striking the word: "superintendent" and inserting in lieu thereof the word: "department", and

Be further amended in Section 6, Subsection (2), page 10 and Section 7, Subsection (1), page 10, lines 1 and 13 by in each line striking the word: "superintendent" and inserting in lieu thereof the word: "department", and

Be further amended in Section 6, Subsection (2), page 10, line 3, by striking the word: "his" and inserting in lieu thereof the word: "its", and

Be further amended in Section 7, page 10, lines 22 through 25, and page 11, lines 1 through 12, by striking all of Subsections (4) and (5) and by renumbering Subsection (6) on line 13 of page 11 accordingly, and

Be further amended in Section 7 and Section 8, page 11, lines 15, 19 and 20 by in each line striking the word: "superintendent" and inserting in lieu thereof the word: "department", and

Be further amended in Sections 8 and 9, page 12, lines 1, 2, 4, 8, 10, 17, 23, and 24 by in each line striking the word: "superintendent" and inserting in lieu thereof the word: "department", and

Be further amended in Section 9, page 13, lines 11, 13, 16 and 18 by in each line striking the word: "superintendent" and inserting in lieu thereof the word: "department", and

Be further amended in Section 10, page 14, lines 6, 8, 12, 14, 19, 22 and 24 by in each line striking the word: "superintendent" and inserting in lieu thereof the word: "department", and

Be further amended in Section 11, page 15, lines 3, 6, 8, 16, 21 and 24 by striking in each line, as often as it occurs in the line, the word: "superintendent" and inserting in lieu thereof the word: "department", and

Be further amended in Section 12, page 16, lines 4, 7, 11, 14 and 19 by in each line striking the word: "superintendent" and inserting in lieu thereof the word: "department", and

Be further amended in Sections 12, 13, 14, and 15, page 17, lines 1, 6, 16 and 24 by in each line striking the word: "superintendent" and inserting in lieu thereof the word: "department", and

Be further amended in Section 15, page 18, lines 1 and 3 by in each line striking the word: "superintendent" and inserting in lieu thereof the word: "department", and

Be further amended in Section 15, Subsection (3), page 19, line 18 by striking the word: "superintendent" and inserting in lieu thereof the word: "department", and

Be further amended in Sections 15 and 16, page 20, lines 6 and 16 by in each line striking the word: "superintendent" and inserting in lieu thereof the word: "department", and

Be further amended in Section 17, page 21, lines 7, 9, 14, 17 and 19 by in each line striking the word: "superintendent" and inserting in lieu thereof the word: "department", and

Be further amended in Section 17, page 21, lines 18 and 21, by in each line striking the word: "his" and inserting in lieu thereof the word: "its", and

Be further amended in Section 19, Page 24, line 9 by striking the word: "superintendent" and inserting in lieu thereof the word: "department", and

Be further amended in Section 21, Subsection (1), page 25, line 21, by striking the word: "superintendent" and inserting in lieu thereof the word: "department", and

Be further amended in Section 21, Subsection (2), page 26, line 1 by striking the word: "superintendent" and inserting in lieu thereof the word: "department", and

Be further amended on page 26 following line 15 by inserting the following new section:

"Section 24. Effective date. This act is effective January 1, 1975.", (85-0), and

As amended, do pass. (61-29)

That House Bill No. 767 be amended in Section 1, page 1, line 16 of the second reading bill by striking the words "and run-offs" after the word "primaries" and inserting in lieu thereof the following punctuation and words: ", and city and municipal elections." (79-0), and

Further amend Section 4, page 3, lines 19 through 20 by striking them in their entirety and inserting in lieu thereof the following material: "of county clerks and recorders and staff and the city and town clerks and staff who were employed by the city or county at the time of the preceding general election" (68-0) and

Further amend Section 5, page 4, lines 18 and 19 following the word "commission" by inserting a period "." and adding the following new material: "The election commission shall be assigned to the office of the secretary of state for administrative purposes only as provided in section 82A-108, R.C.M. 1947." (64-0), and

As amended, do not pass. (58-27)

That House Bill No. 783 do pass. (83-0)

That House Bill No. 805 be amended in the second reading bill on page 11, Subsection (4), line 19 and continuing through line 3 on page 12 by striking Subsection (4) in its entirety and inserting in lieu thereof the following: "(4) Each local government unit shall supplement the state funds available in fiscal years 1975, 1976 and 1977 by appropriating funds, providing in-kind services, or a combination of both, in a total amount not less than the available state money for each fiscal year. For that purpose, each local government unit may assess and levy, in addition to all other levies permitted by law, a special tax on each dollar of taxable valuation of the taxable property of the unit of local government. This tax may be levied in each of the fiscal years 1975, 1976 and 1977 and may be levied by a municipality in addition to the all-purpose levy provided in sections 84-4701.1, 84-4701.2, 84-4701.3, 84-4701.4, and 84-4701.5, R.C.M. 1947."

As amended, do pass. (58-26)

That House Bill No. 890 be placed below House Bill No. 975 on the board.

That House Bill No. 900 be amended in Section 3, Subsection (2)(C), page 3, line 22 of the second reading bill after the word "Cities" by omitting the word "and" and inserting in lieu thereof the punctuation ",", and

Further amend page 3, line 22 after the word "towns" by inserting the following new material: ", sewer and water districts" (54-3), and

Further amend Section 12, page 14, line 14 by striking the following: "or offer of sale," (47-6), and

Further amend Section 2, Subsection (4), page 2, line 25 of the second reading bill following the word "thereof" by inserting the new material: "within a permanent structure to a point five feet outside of the foundation" (72-0), and

Further amend Section 3, page 3, line 24 by striking the material: "two (2)" and inserting the words and figures: "five (5)" (71-0), and

As amended, do pass. (44-43)

Haines present at this time.

That House Bill No. 909 be amended to read as follows:

Amend page 31 of the second reading bill, after line 24 by inserting the following:

"Section 19. Section 4-240, R.C.M. 1947, is amended to read as follows:

'4-240. License tax on liquor — amount — distribution of proceeds. The department of revenue is hereby authorized and directed to charge, receive and collect at the time of sale and delivery of any liquor under any provisions of the laws of the state of Montana a license tax of [four per centum (4%)] five percent (5%) of the retail selling price on all liquor so sold and delivered. Said tax shall be charged and collected on all liquor brought into the state and taxed by the department of revenue. The retail selling price shall be computed by adding to the cost of said liquor the state markup as designated by said board. Said [four per centum (4%)] five percent (5%) license tax shall be figured in the same manner as the state excise tax and shall be in addition to said state excise tax. The department of revenue shall retain the amount of such [four per centum (4%)] five percent (5%) license tax so received in a separate account [and shall apportion said license tax to the treasurers of the counties according to the amount of liquor sold by said board to the purchasers in each county]. Four-fifths (4/5) of these revenues shall be distributed to the counties according to the amount of liquor purchased in each county. One-fifth (1/5) of these revenues shall be deposited in the general fund.

Provided, however, in the case of purchases of liquor by a retail liquor licensee for use in his business, the department shall make such regulations as are necessary to apportion that proportion of license tax so generated to the county where the licensed establishment is located, for use as provided in section 4-241, R.C.M. 1947. The department of revenue shall pay quarterly to each county treasurer the proportion of the license tax due each county.

The county treasurer of each county shall retain one-fourth ($\frac{1}{4}$) of said license tax, and shall, within thirty (30) days after receipt thereof, apportion the remaining three-fourths ($\frac{3}{4}$) thereof to the treasurers of the incorporated cities and towns within his county, said apportionment to be based in each instance upon the proportion which the gross sale of liquor in such incorporated city or town bears to the gross sale of liquor in all of the incorporated cities and towns in his said county.” (47-42), and

Further amend Section 20 as follows:

“Section 20. Section 4-324, R.C.M. 1947, is amended to read as follows:

‘4-324. Tax on imported beer — computation in case of barrels of capacity other than thirty-one gallons. A tax of three dollars (\$3) per barrel of thirty-one (31) gallons is hereby levied and imposed on each and every barrel of beer manufactured out of this state and sold herein by any wholesaler, which said tax shall be due at the end of each month from said wholesaler, upon any such beer so sold by him during that month. As to any beer imported and sold in containers other than barrels or in barrels of more or less capacity than thirty-one (31) gallons, the quantity content shall be ascertained and computed by the department of revenue in determining the amount of tax due, as herein provided for. An additional tax of twenty-five cents (\$.25) per barrel is levied and imposed as provided by this section, and such additional tax is also to be levied and imposed at the same rate upon beer manufactured within the state. The additional tax of twenty-five cents (\$.25) is to be deposited, notwithstanding sections 4-347, 4-347.1, or any other provision, in the general fund.” (49-39), and

Further amend pages 31 and 32 of the second reading copy, beginning with line 25 on page 31 and continuing through line 22 on page 32, by deleting the material therein in its entirety (65-14), and

(Material in brackets denotes cancelled type.)

As amended, do pass. (77-16)

Swanberg replaces McKittrick in the Chair.

That House Bill No. 975 do not pass. (56-35)

That House Bill No. 890 do pass. (48-47)

That House Bill No. 1015 do pass. (78-4)

McKittrick resumes the Chair.

That House Bill No. 1050 do pass. (85-1)

That House Bill No. 1101 do pass. (76-18)

That House Joint Resolution No. 81 do pass. (82-3)

That House Bill No. 620 do pass. (79-0)

That Senate Amendments to House Bill No. 386 be concurred in. (83-0)

That Senate Bill No. 660 be concurred in. (80-0)

That Senate Bill No. 661 be concurred in. (90-0)

That Senate Bill No. 662 be amended in Section 2, Subsection 1, page 12, line 16 of the third reading bill after the word “additional” by omitting the word: “county” and inserting in lieu thereof the word: “state” (81-0), and

As amended, be concurred in. (87-1)

That Senate Bill No. 663 be concurred in. (88-0)

That Senate Bill No. 664 be concurred in. (86-1)

That Senate Bill Nos. 453 and 474 be placed below Senate Bill No. 507 on the board.

That Senate Bill No. 507 be amended in Section 2, page 2, line 5 of the third reading copy by reinserting the words: "any of" after the word "meets", and

Further amend Section 2, page 2, line 14 of the third reading copy by striking the word "and" after the word "program" and reinserting the word "or" (87-0), and

As amended, be concurred in. (88-7)

That the committee rise and report.

McKITTRICK, Chairman

Report adopted.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 305 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmillier, Stephens, Stoltz, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 90.

Noes: Bennetts, Greely, Swanberg. Total 3.

Excused: Hall, Holtz, Mercer, Zimmer. Total 4.

Absent or not voting: Kessner, Kimble, McKittrick. Total 3.

House Bill No. 550 was passed by the following vote:

Ayes: Ainsworth, Baeth, Bardanouve, Baucus, Bennetts, Bradley, Brand, Clemow, Colberg, Cotton, Cox, Driscoll, Edland, Fagg, Fasbender, Fleming, Flynn, Forsgren, Greely, Gunderson, Hageman, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Huennekens, Jacobsen, Johnston, Kimble, Kosena, Kvaalen, Laas, Lee, Lombardi, Lucas, Lund, Lynch, McKittrick, Manuel, Marbut, Mehrens, Menahan, Murphy, Norman, Prevost, Quilici, Regan, Roberts, Schepens, Shelden, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Ulmer, Watt, Yardley, Mr. Speaker. Total 64.

Noes: Aageson, Asbjornson, Barrett, Bell, Burnett, Campbell, Castles, East, Ellerd, Galt, Glennen, Hager, Hubing, Jones, Kessner, Kolstad, Lien, Lockrem, Lundgren, Mann, Marks, Mercer, Olson, Rolfe, Schye, Seifert, Selstad, Smith, Turner, Walborn, Warfield. Total 31.

Paired: Fagg, Yardley, Aye; Kessner, Mercer, No.

Excused: Hall, Holtz, Zimmer. Total 3.

Absent or not voting: Brown, Kendall. Total 2.

House Bill No. 632 was passed by the following vote:

Ayes: Aageson, Asbjornson, Barrett, Bell, Brown, Burnett, Campbell, Castles, Clemow, Cox, East, Ellerd, Fagg, Flynn, Forsgren, Galt, Glennen, Hageman, Hager, Haines, Holtz, Hubing, Johnston, Jones, Kessner, Kolstad, Kvaalen, Lien, Lockrem,

Lucas, Lund, Lundgren, Lynch, Mann, Manuel, Marks, Mercer, Olson, Quilici, Rolfe, Schye, Seifert, Selstad, Smith, Swanberg, Tierney, Turner, Ulmer, Walborn, Warfield, Mr. Speaker. Total 51.

Noes: Ainsworth, Baeth, Bardanouve, Baucus, Bennetts, Bradley, Brand, Colberg, Cotton, Driscoll, Edland, Fasbender, Fleming, Greely, Gunderson, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Huennekens, Jacobsen, Kendall, Kimble, Kosena, Laas, Lee, Lombardi, McKittrick, Marbut, Mehrens, Menahan, Murphy, Norman, Prevost, Regan, Roberts, Schepens, Shelden, Staigmiller, Stephens, Stoltz, Towe, Turman, Watt, Yardley, Zimmer. Total 48.

Paired: Cox, Holtz, Kessner, Mercer, Aye; Fasbender, Menahan, Regan, Zimmer, Nay.

Excused: Hall. Total 1.

Absent or not voting: None.

House Bill No. 790 was passed by the following vote:

Ayes: Baeth, Barrett, Baucus, Bennetts, Bradley, Brand, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, Edland, Fagg, Fleming, Flynn, Forsgren, Glennen, Greely, Gunderson, Hageman, Hager, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Huennekens, Jacobsen, Kimble, Kosena, Kvaalen, Laas, Lee, Lien, Lucas, Lund, McKittrick, Marbut, Mehrens, Menahan, Murphy, Prevost, Quilici, Regan, Roberts, Schepens, Shelden, Staigmiller, Stoltz, Swanberg, Tierney, Towe, Turman, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 60.

Noes: Aageson, Ainsworth, Asbjornson, Bardanouve, Bell, Brown, Burnett, Campbell, East, Ellerd, Galt, Haines, Hubing, Johnston, Jones, Kendall, Kessner, Kolstad, Lockrem, Lombardi, Lundgren, Lynch, Mann, Manuel, Marks, Norman, Olson, Rolfe, Seifert, Selstad, Smith, Stephens, Turner, Walborn. Total 34.

Paired: Fagg, Kvaalen, Aye; Kessner, Lockrem, Nay.

Excused: Hall, Holtz, Mercer, Zimmer. Total 4.

Absent or not voting: Fasbender, Schye. Total 2.

House Bill No. 904 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Greely, Gunderson, Hageman, Hager, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Seifert, Selstad, Shelden, Staigmiller, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 88.

Noes: Glennen, Haines, Schepens, Smith, Stephens, Walborn. Total 6.

Excused: Hall, Holtz, Mercer, Zimmer. Total 4.

Absent or not voting: Kessner, Schye. Total 2.

House Bill No. 910 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 92.

Noes: Kendall. Total 1.

Excused: Hall, Holtz, Mercer, Zimmer. Total 4.

Absent or not voting: Ellerd, Kessner, Lund. Total 3.

House Bill No. 932 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Glennen, Greely, Gunderson, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Quilici, Regan, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Staigmillar, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Ulmer, Warfield, Watt, Mr. Speaker. Total 85.

Noes: Bardanouve, Burnett, Hageman, Hubing, Smith, Walborn. Total 6.

Excused: Hall, Holtz, Mercer, Zimmer. Total 4.

Absent or not voting: Galt, Kessner, Roberts, Turner, Yardley. Total 5.

House Bill No. 939 was passed by the following vote:

Ayes: Aageson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Norman, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Selstad, Shelden, Staigmillar, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 84.

Noes: Asbjornson, Burnett, Haines, Mann, Olson, Seifert, Smith, Walborn. Total 8.

Excused: Hall, Holtz, Mercer, Zimmer. Total 4.

Absent or not voting: Ainsworth, Clemow, Kessner, McKittrick. Total 4.

House Bill No. 949 was passed by the following vote:

Ayes: Ainsworth, Baeth, Bardanouve, Baucus, Bennetts, Bradley, Brand, Brown, Colberg, Cox, Driscoll, Fagg, Fasbender, Fleming, Flynn, Glennen, Greely, Gunderson, Hager, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Huennekens, Jacobsen, Johnston, Jones, Kimble, Kosena, Kvaalen, Laas, Lee, Lien, Lombardi, Lucas, Lundgren, McKittrick, Marbut, Mehrens, Menahan, Murphy, Norman, Prevost, Quilici, Regan, Roberts, Schepens, Shelden, Stoltz, Swanberg, Tierney, Towe, Turman, Ulmer, Watt, Yardley, Mr. Speaker. Total 59.

Noes: Aageson, Asbjornson, Barrett, Bell, Burnett, Campbell, Castles, Clemow, Cotton, East, Edland, Ellerd, Forsgren, Galt, Hageman, Haines, Hubing, Kendall, Kolstad, Lockrem, Lund, Mann, Manuel, Marks, Olson, Rolfe, Schye, Seifert, Selstad, Smith, Staigmillar, Stephens, Turner, Walborn, Warfield. Total 35.

Excused: Hall, Holtz, Mercer, Zimmer. Total 4.

Absent or not voting: Kessner, Lynch. Total 2.

House Bill No. 967 was passed by the following vote:

Ayes: Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall,

Kimble, Kolstad, Kosena, Kvaalen, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Seifert, Selstad, Shelden, Staigmiller, Stephens, Stoltz, Swanberg, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 85.

Noes: Ageson, Burnett, Clemow, H. Harper, Laas, Lynch, Smith, Tierney, Walborn. Total 9.

Excused: Hall, Holtz, Mercer, Zimmer. Total 4.

Absent or not voting: Kessner, Schye. Total 2.

House Bill No. 974 was passed by the following vote:

Ayes: Ageson, Baeth, Bardanouve, Baucus, Bennetts, Bradley, Brand, Brown, Campbell, Colberg, Cotton, Driscoll, Ellerd, Fagg, Fasbender, Fleming, Forsgren, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, R. Harper, Hodges, Huennekens, Jacobsen, Johnston, Kendall, Kimble, Kolstad, Kvaalen, Laas, Lee, Lien, Lockrem, Lucas, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Shelden, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 65.

Noes: Ainsworth, Asbjornson, Barrett, Bell, Burnett, Castles, Clemow, Cox, East, Edland, Flynn, Galt, Glennen, H. Harper, Healy, Hubing, Kosena, Lombardi, Lund, Marks, Mehrens, Menahan, Murphy, Norman, Seifert, Selstad, Smith, Walborn. Total 28.

Excused: Hall, Holtz, Mercer, Zimmer. Total 4.

Absent or not voting: Holmes, Jones, Kessner. Total 3.

House Bill No. 991 was passed by the following vote:

Ayes: Ageson, Ainsworth, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 93.

Noes: Asbjornson. Total 1.

Excused: Hall, Holtz, Mercer, Zimmer. Total 4.

Absent or not voting: Brown, Kessner. Total 2.

House Bill No. 1,003 was passed by the following vote:

Ayes: Ageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Colberg, Cotton, Cox, Driscoll, Edland, Fagg, Fasbender, Forsgren, Galt, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, Healy, Hodges, Holmes, Huennekens, Jacobsen, Jones, Kendall, Kimble, Kosena, Kvaalen, Lee, Lien, Lombardi, Lucas, Lund, Lundgren, Lynch, Mann, Manuel, Marbut, Mehrens, Menahan, Murphy, Norman, Olson, Quilici, Regan, Roberts, Rolfe, Schepens, Selstad, Shelden, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 74.

Noes: Bell, Clemow, East, Ellerd, Fleming, Flynn, Glennen, R. Harper, Hubing, Johnston, Kolstad, Laas, Lockrem, McKittrick, Marks, Prevost, Schye, Seifert, Smith, Staigmiller, Walborn. Total 21.

Excused: Hall, Holtz, Mercer, Zimmer. Total 4.

Absent or not voting: Kessner. Total 1.

House Bill No. 1,035 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Haines, H. Harper, R. Harper, Healy, Hodges, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kimble, Kolstad, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Quilici, Regan, Schepens, Schye, Shelden, Smith, Staigmilller, Stephens, Stoltz, Swanberg, Towe, Turman, Ulmer, Walborn, Watt, Yardley, Mr. Speaker. Total 81.

Noes: Castles, Ellerd, Hager, Halvorson, Holmes, Mann, Rolfe, Seifert, Selstad, Tierney, Turner. Total 11.

Excused: Hall, Holtz, Mercer, Zimmer. Total 4.

Absent or not voting: Kessner, Kosena, Roberts, Warfield. Total 4.

House Bill No. 1066 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cox, Driscoll, Edland, Ellerd, Fagg, Fasbender, Fleming, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Jacobsen, Johnston, Jones, Kendall, Kimble, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Norman, Prevost, Quilici, Regan, Roberts, Schepens, Shelden, Staigmilller, Stephens, Stoltz, Swanberg, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 77.

Noes: Bennetts, Burnett, Cotton, East, Flynn, Holmes, Hubing, Huennekens, Kolstad, Rolfe, Seifert, Selstad, Smith, Tierney, Towe, Walborn. Total 16.

Excused: Hall, Holtz, Mercer, Zimmer. Total 4.

Absent or not voting: Kessner, Olson, Schye. Total 3.

House Bill No. 1074 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Jacobsen, Johnston, Jones, Kendall, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmilller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Mr. Speaker. Total 90.

Noes: Colberg, Huennekens, Walborn. Total 3.

Excused: Hall, Holtz, Mercer, Zimmer. Total 4.

Absent or not voting: Galt, Kessner, Yardley. Total 3.

House Joint Resolution No. 58 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, East, Edland, Fagg, Fasbender, Fleming, Flynn, Forsgren, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens,

Menahan, Murphy, Norman, Olson, Prevost, Quilibi, Regan, Roberts, Rolfe, Schepens, Schye, Selstad, Shelden, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Watt, Yardley, Mr. Speaker. Total 86.

Noes: Cox, Ellerd, Mann, Seifert, Smith, Walborn, Warfield. Total 7.

Excused: Hall, Holtz, Mercer, Zimmer. Total 4.

Absent or not voting: Driscoll, Galt, Kessner. Total 3.

MESSAGE FROM THE OTHER HOUSE

February 20, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day on Committee report, not concurred in, report adopted, and the said bills are herewith returned to the House:

House Bill No. 706 introduced by Brown

House Bill No. 759 introduced by McKittrick and Lee

House Bill No. 944 introduced by Colberg (by request)

House Bill No. 1086 introduced by Healy, Bell, et al

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

REPORTS OF STANDING COMMITTEES

February 20, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly enrolled: House Bill No. 771, House Bill No. 787, House Bill No. 855.

QUILICI, Chairman

February 20, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly enrolled: House Bill No. 298, House Bill No. 770, House Bill No. 842, House Joint Resolution No. 60.

QUILICI, Chairman

February 20, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: House Bill No. 782.

QUILICI, Chairman

February 20, 1974

I have examined House Bill No. 770 introduced by me and find the same to be correct.

GERKE

February 18, 1974

I have examined House Bill No. 298 introduced by me and find the same to be correct.

BARDANOUE

February 20, 1974

I have examined House Joint Resolution No. 60 introduced by me and find the same to be correct.

HOLMES

February 20, 1974

I have examined House Bill No. 842 introduced by me and find the same to be correct.

McKITTRICK

February 20, 1974

The following bills and resolution will be signed on adjournment on February 20, 1974, in the office of the Speaker of the House of Representatives: House Bill No. 298, House Bill No. 770, House Bill No. 842, House Joint Resolution No. 60, Senate Bill No. 491, Senate Bill No. 492, Senate Bill No. 582, Senate Bill No. 607.

EDWIN A. SMITH, Chief Clerk
House of Representatives

February 20, 1974

The following bills will be signed on adjournment on February 20, 1974, in the office of the Speaker of the House of Representatives: House Bill No. 855, House Bill No. 771, House Bill No. 787.

EDWIN A. SMITH, Chief Clerk
HOUSE OF REPRESENTATIVES

February 20, 1974

I have examined House Bill No. 787 introduced by me and find the same to be correct.

BRADLEY

February 20, 1974

I have examined House Bill No. 771 introduced by me and find the same to be correct.

GERKE

February 20, 1974

I have examined House Bill No. 855 introduced by me and find the same to be correct.

CLEMOW

February 20, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly printed: House Bill No. 850, House Bill No. 875, House Bill No. 1013, House Bill No. 1032, House Bill No. 1048, House Resolution No. 50, House Joint Resolution No. 43.

QUILICI, Chairman

Objection raised by Fagg on adverse committee report on House Bill No. 494. Referred to Second Reading.

February 20, 1974

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration Senate Bill No. 615, respectfully report as follows: That Senate Bill No. 615 be concurred in.

LOMBARDI, Chairman

February 20, 1974

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration Senate Joint Resolution No. 61, respectfully report as follows: That Senate Joint Resolution No. 61 be concurred in.

LOMBARDI, Chairman

February 20, 1974

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration Senate Joint Resolution No. 65, respectfully report as follows: That Senate Joint Resolution No. 65 be concurred in.

LOMBARDI, Chairman

MOTIONS

Yardley moved that Senate Bill No. 598 be taken from the Committee on Public Health, Welfare and Safety and referred to the Committee on Judiciary.

Motion carried.

Lockrem moved that the Journal for the Thirty-eighth Legislative Day show Burnett as voting Aye on Order of Business No. 6 on House Bill No. 733 instead of Absent.

Motion carried.

Fasbender moved that the House adjourn until 10:00 a.m., February 21, 1974.

Motion carried.

House adjourned.

HAROLD E. GERKE, Speaker

EDWIN A. SMITH, Chief Clerk

FORTIETH LEGISLATIVE DAY

Helena, Montana
February 21, 1974House Chambers
Capitol Building

House convened at 10:00 a.m., Mr. Speaker in the Chair.

Invocation by the Chaplain.

Pledge of Allegiance to the Flag.

Roll call. All members present except Hall, Holtz, Kolstad, Mercer and Zimmer, excused.

Quorum present.

Mr. Speaker: We, your Committee on Bills and Journal, having examined the daily journal for the Thirty-ninth Legislative Day, find the same to be correct.

QUILICI, Chairman

REPORTS OF STANDING COMMITTEES

February 21, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills and resolution considered correctly engrossed: House Bill No. 620, House Bill No. 783, House Bill No. 890, House Bill No. 1015, House Bill No. 1050, House Bill No. 1101, House Joint Resolution No. 81.

QUILICI, Chairman

February 21, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly printed: House Bill No. 494, House Bill No. 634, House Bill No. 776, House Bill No. 797, House Bill No. 969, House Bill No. 1024.

QUILICI, Chairman

February 21, 1974

The following bills were signed in the office of the Speaker of the House of Representatives on February 20, 1974: House Bill No. 771, House Bill No. 787, House Bill No. 855.

EDWIN A. SMITH, Chief Clerk
House of Representatives

February 21, 1974

Mr. Speaker: We, your Committee on Education, having had under consideration Senate Bill No. 463, respectfully report as follows: That Senate Third Reading Bill No. 463 be amended in the title on page 1, line 7 after the word "the" by omitting the words "state board of" and inserting in lieu thereof the words "board of regents of higher", and

Be further amended in Section 1, Subsection (b), page 2, line 24 after the word "The" by omitting the words "state board of" and inserting in lieu thereof the words "board of regents of higher", and

As amended, be concurred in.

GUNDERSON, Chairman

Report adopted.

February 21, 1974

Mr. Speaker: We, your Committee on Education, having had under consideration Senate Bill No. 535, respectfully report as follows: That Senate Third Reading Bill No. 535 be concurred in.

GUNDERSON, Chairman

Report adopted.

February 21, 1974

Mr. Speaker: We, your Committee on Education, having had under consideration Senate Bill No. 569, respectfully report as follows: That Senate Third Reading Bill No. 569 be concurred in.

GUNDERSON, Chairman

Report adopted.

February 20, 1974

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration House Bill No. 683, respectfully report as follows: That House Bill No. 683 be amended in the Second Reading bill in Section 1, page 4, following line 22, by inserting the following new Subsection and renumbering the remaining Subsections accordingly: "(12) 'Political parties' means any political organization that polled at least three percent (3%) of the total votes cast for governor in the last preceding election for governor.", and

Further amend Section 3, page 8, line 17, following the material "(\$100)" by inserting the following words: "and each political committee which intends to make a contribution to a candidate or political party", and

Further amend Section 3, page 8, line 23, following the material "(\$100)" by inserting the following words: "or contribute to a candidate or political party", and

Further amend Section 3, page 10, line 19, following the material "(\$100)" by inserting the following words: "or contribute to a candidate or political party", and

Further amend Section 7, page 19, line 11, following the word "treasurer" by inserting the following words: "of a candidate or political party", and

Further amend Section 7, page 19, line 13, following the word "act" by inserting the following words: "and such a contribution is not a second party contribution under this section", and

Further amend Section 7, page 20, following line 7, by inserting the following new Subsection and renumbering the remaining Subsections accordingly: "(4) No contribution or expenditure shall be made by or through a campaign treasurer of any political committee except from funds voluntarily contributed for use in political campaigns or to promote issues.", and

Further amend Section 15, page 29, line 6, following the material "(3)" by omitting the remainder of the Subsection and inserting in lieu thereof the following material: "Political organizations formed in accordance with this section are required to keep all records and render all reports required of political committees by this act.", and

Further amend Section 15, page 29, line 13 by omitting all of Subsection (4) and renumbering the remaining Subsections accordingly, and

Further amend Section 15, page 29, line 19, following the word and punctuation "above." by inserting the following material: "No union funds and no corporate funds may be used to make a contribution or expenditure for the purpose of influencing the result of an election except as provided by this section.", and

Further amend Section 16, page 30, line 18, by omitting the words: "secretary of state" and inserting in lieu thereof the word: "commissioner", and

Further amend Section 17, page 32, following line 2, by adding the following new Subsection: "(3) Any person who seeks to circumvent the contribution limits of this section by contributing to any other person with the intent that this contribution be contributed to or expended by or on behalf of a particular candidate is guilty of a violation of this act.", and

Further amend Section 18, page 32, line 15, following the word "for" by omitting the word "the" and inserting in lieu thereof the word "a", and

Further amend Section 18, page 32, line 15, following the word "primary" by inserting the words "or special", and

Further amend Section 18, page 33, line 10, following the word "for" by omitting the word "the" and inserting in lieu thereof the word "a", and

Further amend Section 18, page 33, line 10, following the word "primary" by inserting the words "or special", and

Further amend Section 18, page 33, line 25 by omitting the words and figures and punctuation "five cent (\$.05)" and inserting in lieu thereof the words, figures and punctuation "three cents (\$.03)", and

Further amend Section 18, page 34, line 2, after the word "more" by omitting the punctuation "." and inserting the following material: "for a primary or special election. The maximum allowable expenditure of funds by each candidate shall be two cents (\$.02) times the population of the electoral district from which the officer is to be elected or three hundred dollars (\$300) whichever is more for the general election.", and

Further amend Section 18, page 34, line 1, by omitting the words and punctuation "county, city, or town" and inserting in lieu thereof the words "electoral district from which the officer is to be elected.", and

Further amend Section 19, page 35, line 22, following the underscored words "even numbered years" by inserting the punctuation and words ", except that the first commission members shall be appointed upon passage and approval to serve until their successors are appointed under the provisions of this act.", and

Further amend Section 29, page 48, line 20 following the underscored word "sections" by omitting the underscored number "17" and inserting in lieu thereof the number "19", and

Further amend Section 29, page 48, line 21, by omitting the underscored number "18" and inserting in lieu thereof the number "20", and

As amended, do pass.

LOMBARDI, Chairman

Report adopted.

February 21, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the followings bills correctly engrossed: House Bill No. 371, House Bill No. 749, House Bill No. 805, House Bill No. 900, House Bill No. 909, House Bill No. 1011.

QUILICI, Chairman

MESSAGES FROM THE OTHER HOUSE

February 20, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read three times and concurred in as amended, title and history agreed to, and the said bills are herewith returned to the House for concurrence in Senate amendments:

House Bill No. 686 introduced by Towe

House Bill No. 709 introduced by Bradley and Murphy

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

February 20, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Joint Resolution was this day read three times and concurred in, title and history agreed to and the said resolution is herewith returned to the House:

House Joint Resolution No. 38 introduced by R. Harper, Fleming, et al

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

February 20, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day read three several times, and passed, title and history agreed to, and the bills are herewith transmitted to the House for concurrence:

Senate Bill No. 461 introduced by Siderius, Deschamps, and Keenan

Senate Bill No. 485 introduced by Gilfeather

Senate Bill No. 554 introduced by Zody, Bollinger, et al

Senate Bill No. 622 introduced by Moore and Lynch

Senate Bill No. 648 introduced by Klindt and Bollinger

Senate Bill No. 655 introduced by Turnage, Bertsche, et al

Senate Bill No. 679 introduced by Moore and Turnage

Senate Bill No. 731 introduced by Carl, James, et al

Senate Bill No. 732 introduced by Lynch and Gilfeather

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

MOTIONS

Fasbender moved that the rules be suspended and that House Bills Nos. 634, 969, 776, 797, 1024 and 494 be placed on Second Reading for consideration this day.

Motion carried.

Fasbender moved that the rules be suspended and that House Bills Nos. 371, 620, 749, 783, 805, 890, 900, 909, 1011, 1015, 1050 and 1101 and House Joint Resolution No. 81 be placed on Third Reading for consideration this day.

Motion carried.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following bills and resolution were introduced, read first time and referred to committees:

Senate Bill No. 461, introduced by Siderius, Deschamps, Keenan: A bill for an act entitled: "An act for revision of the laws relating to the Department of Public Service Commission." Referred to Committee on State Administration.

Senate Bill No. 485, introduced by Gilfeather: A bill for an act entitled: "An act revising the procedures for establishing federations of libraries or regional libraries; and amending Sections 44-131, 44-212, 44-213, 44-214, and 44-215, R.C.M. 1947." Referred to Committee on Education.

Senate Bill No. 554, introduced by Zody, Bollinger, Drake, Himsl: A bill for an act entitled: "An act to authorize the Department of Social and Rehabilitation Services to provide supplementary assistance to recipients of supplemental security income under Title XVI of the Social Security Act of the United States; and providing an effective date." Referred to Committee on Finance and Claims.

Senate Bill No. 622, introduced by Moore, Lynch: A bill for an act entitled: "An act appropriating fifteen thousand six hundred dollars (\$15,600) to the University of Montana Law School for the justice of the peace orientation course." Referred to Committee on Finance and Claims.

Senate Bill No 648, introduced by Klindt, Bollinger: A bill for an act entitled: "An act to provide for the giving of notice of public hearings regarding the regulation of the business of railroads to the Montana Consumer Counsel; and to make reference to the availability of the Montana Consumer Counsel in notices of hearings." Referred to Committee on Business and Industry.

Senate Bill No. 655, introduced by Turnage, Bertsche, Drake, Lynch: A bill for an act entitled: "An act to amend Section 82-4323, R.C.M. 1947, to provide that a governmental entity employer must be joined as party defendant in certain actions; providing immunity from personal liability or from suit for governmental entity employees in certain cases; providing for indemnity in certain cases; and providing an effective date." Referred to Committee on Judiciary.

Senate Bill No. 679, introduced by Moore, Turnage: A bill for an act entitled: "An act extending the regulation of credit life insurance and credit disability insurance; and requiring the amount of insurance in such policies to equal the amount of indebtedness; amending Sections 40-4203 and 40-4206, R.C.M. 1947." Referred to Committee on Business and Industry.

Senate Bill No. 731, Carl, James, Breeden, Mathers, Vainio, Goodheart, Boylan, Gilfeather, McCallum, Klindt: A bill for an act entitled: "An act to expand the definition of handicapped to include gifted and talented persons, who are six (6) years of age and under twenty-two (22) years of age, and to amend Sections 75-7801 and 75-7806, R.C.M. 1947." Referred to Committee on Education.

Senate Bill No. 732, introduced by Lynch, Gilfeather: A bill for an act entitled: "An act amending Section 11-1024, R.C.M. 1947, to remove the limitation on gov-

erning body contributions to group health insurance programs for employees of educational institutions; and providing an effective date." Referred to Committee on Education.

House Bill No. 1120, introduced by Cox, Warfield, Regan, Gunderson, Colberg, Lucas: A bill for an act entitled: "An act to appropriate moneys from the general fund to the Board of Regents of Higher Education for Western Interstate Compact for Higher Education Student Payments." Referred to Committee on Finance and Claims.

House Resolution No. 60, introduced by Edland, Lynch, Norman: A Resolution of the House of Representatives of the State of Montana requesting the Forty-third Legislative Assembly and all state agencies to salvage for recycling used paper wherever feasible. Referred to Committee on Legislative Administration.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Fasbender moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading under the rules of the previous sitting. Motion carried.

Cox in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

February 21, 1974

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That House Bill No. 280 do pass. (49-48)

That House Bill No. 326 be passed to the bottom of the board.

That House Bill No. 494 be amended in Section 2, page 2, lines 9 through 14 of the second reading bill by striking Subsections (1) and (2) in their entirety (72-5), and

Further amend Section 5, page 5, line 5 following the word and punctuation "specify." by inserting the following new material: "The department shall investigate all conflicting inspection and certification reports and shall resolve disputes arising between inspection stations issuing the conflicting reports.

A certificate of inspection issued in accordance with this section certifies that the inspected vehicle met the minimum standards of inspection at the time of inspection and no other certification of condition by such certificate is expressed or implied." (65-6), and

As amended, do pass. (51-42)

That the committee rise and report and beg leave to sit again.

Report adopted.

The House recessed until 1:00 p.m.

House resumed. Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

February 21, 1974

Mr. Speaker: We, your Committee on Legislative Administration, respectfully report as follows: That the following attache of the House terminate at the close of business on February 21, 1974:

Jack Carney.....Public Information Officer

That the following attache of the House be employed at the beginning of business on February 21, 1974:

Jacquelee BowmanGuide

EDLAND, Chairman

Report adopted.

SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)

Swanberg moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading under the rules of the previous sitting.

Motion carried.

Cox in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

February 21, 1974

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That House Bill No. 567 be amended in Section 16, Subsection (1), page 21, line 15 after the word "Division" by striking the word: "may" and inserting in lieu thereof the word: "shall" (63-0), and

Further amend Section 16, Subsection 1, page 22, lines 2 and 3 by striking the following words and figures: "of seven hundred fifty thousand (750,000) BTU input or less" and inserting in lieu thereof the following words and figures: "operating at fifty (50) P.S.I. and two hundred fifty degrees (250) F. or less" (66-23), and

Further amend Section 19, page 25, line 11 after the word "license" by striking all of the remaining language on lines 11, 12 and 13 and inserting in lieu thereof the following language beginning after the word "License" on line 11: "under this act at the time of its effective date, may renew it for one (1) year under the provisions of the old law. Thereafter, all applicants for licenses shall comply with the provisions of this act." (68-12), and

As amended, do pass. (76-10)

That House Bill No. 634 do pass. (62-23)

That House Bill No. 683 be amended in the title, page 1, line 12 by reinstating the stricken words "position of commissioner" and omitting the underscored word "commission" (57-16), and

Further amend Section 1 and 19 as follows:

Amend Section 1, page 2, line 10 by omitting all of Subsection (2) and reinstating the numbers of the remaining subsections and omitting the underscored numbers of the remaining subsections, and

Further amend Section 1, page 2, line 13 by reinstating the stricken words "state commissioner of campaign finances and practices" and omitting the underscored words "individual hired as staff director by the commission as provided by this act.", and

Further amend Section 19, page 34, line 20 by reinstating the stricken material "Commissioner - office" and omitting the underscored word "commission", and

Further amend Section 19, page 34, line 21 by omitting the underscored material ", - appointment of commissioner", and

Further amend Section 19, page 34, line 22 by reinstating the stricken material "position of commissioner" and omitting the underscored word "commission", and

Further amend Section 19, page 36, line 23, by reinstating the word "commissioner" and omitting the underscored word "commission", and

Further amend Section 19, page 37, line 10 by reinstating the stricken words "office of the commissioner" and omitting the underscored word "commission", and

Further amend Section 19, page 37, line 12 by reinstating the stricken word "commission", and

Further amend Section 19, page 37, line 13 by omitting the underscored word "commission", and

Further amend in Section 19, page 37, line 14 by reinstating the stricken word "commissioner" and omitting the underscored word "commission", and

Further amend Section 19, page 37, line 15, by reinstating the stricken word "commissioner", and

Further amend Section 19, page 37, line 16 by omitting the underscored word "commission", and

Further amend Section 19, page 37, line 19 by omitting the underscored material "under the direction of the commission," (53-15), and

Further amend Section 19 as follows:

Amend Section 19, page 34, line 23 by reinstating all stricken material and omitting all underscored material in the remainder of Subsection (1), and

Further amend Section 19, page 35, line 21 by omitting all of the new Subsection (2) and reinstating the numbers of the remaining subsections and omitting the underscored subsection numbers in the remaining subsections.

Further amend Section 19, page 36, line 7 by reinstating all stricken material in the stricken Subsection (3), and

Further amend Section 19, page 36, line 12 by reinstating all stricken material in the stricken subsection (4), and

Further amend Section 19, page 36, line 19 by reinstating all stricken material in the stricken Subsection (5) (51-17), and

Further amend Section 18, page 34, line 12 of the second reading bill by omitting the word "any" and inserting in lieu thereof the word "a", and

Further amend Section 18, page 34, line 13 by omitting the word "committee" and inserting in lieu thereof the word "party", and

Further amend Section 18, page 34, line 13 by omitting the words and punctuation "obtaining time, space or services in or by any communications medium for the purpose of jointly endorsing more than one (1)" and inserting in lieu thereof the words: "The purpose of supporting or opposing a", and

Further amend Section 18, page 34, line 16 following the word "shall" by inserting the word "not", and

Further amend Section 18, page 34, line 17 by omitting the words and punctuation "several candidates, political committees, or issues equally divided among them" and inserting in lieu thereof the words and punctuation "candidate, political committee or issue" (78-4), and

As amended, do pass. (50-45)

That House Bill No. 722 be amended in Section 1, page 2, after line 2 by adding the following new language starting with a new paragraph:

"If the number of separate items of service and separate items of merchandise provided by any person are too numerous to list on one page, such person may summarize such items on a form approved by the department of business regulation." (66-0), and

As amended, do pass. (62-13)

That House Bill No. 785 be amended in Section 1, page 2, line 21 of the second reading bill by deleting the word "to" in that line (65-0), and

As amended, do pass. (72-9)

That House Bill No. 797 be amended in Section 6, Subsection (8), page 6 of the second reading bill by deleting on line 14 the word "commended" and substituting in lieu thereof the word "commenced" (76-1)

As amended, do pass. (82-0)

That House Bill No. 798 be amended in Section 31, page 43, Subsection (1), line 10 of the second reading bill after the word "inspection" by inserting the new material "prior to the sealing of the records" (66-0), and

Further amend Section 34, page 48, Subsection (6), line 24 of the second reading bill after the word "A" by striking the word "licensed" and inserting in lieu thereof the word "chief" (71-0), and

As amended, do pass. (80-0)

That House Bill No. 820 do pass. (58-16)

That House Bill No. 850 be amended in the second reading bill by adding a new Section 6 to read as follows:

"Section 6. Liability not altered by this act. In any civil action brought by the owner, driver, or occupant of a motor vehicle, or by their personal representatives or assigns, for damages caused by collision between any motor vehicle and any livestock, there is no presumption or inference that such collision was due to negligence on the part of an owner or person in possession of such livestock because of a violation of this act and no civil liability for damages shall attach to an owner or person in possession of such livestock because of a violation of this act." (57-9), and

As amended, do pass. (63-10)

That House Bill No. 864 do pass. (79-0)

That House Bill No. 875 be amended in Section 3, Subsection (C), page 5, lines 14 through 16 of the second reading bill by striking the words "classes one (1) through four (4) agricultural land as classified by the assessor in each county" and inserting in lieu thereof the words "the better agricultural lands as indicated by classification in the top six (6) grades or subgrades (total of six (6)) by the department of revenue," and

Further amend Section 3, Subsection (4), page 6, lines 9 and 10 after the word and punctuation "sold," by striking the words "rented, leased" (74-0), and

Further amend Section 4, Subsection (3), page 9, line 1 by striking the number "(3)" and inserting in lieu thereof the number "(2)" (67-0), and

Further amend Section 6, Subsection (B), page 10, line 25 and page 11, line 1 after the word "classified" by striking the words "class one (1) through four (4) agricultural land by the county planning board." and inserting in lieu thereof the words "in the top six (6) grades or subgrades (total of six (6)) by the department of revenue." (67-0), and

Further amend the title on line 17 by striking the words "and providing an effective date" (80-0), and

Further amend by striking all of Section 9 on page 11 (79-2), and

As amended, do pass. (75-19)

Lockrem replaces Cox in the Chair.

That House Bill No. 889 do pass. (70-3)

That House Bill No. 969 be amended in Section 4, Subsection (1), page 30, line 1 of the second reading bill by striking all the material following the words "managing agency", and

Further amend Section 4, Subsection (1), page 30, by striking all the remaining language on lines 3, 4 and 5 and inserting in lieu thereof the following new material: "means the organization pursuant to the laws of Montana which is given the

responsibility for the administration of a particular unit or class of the outdoor recreation system." (61-0), and

As amended, do pass. (74-2)

That House Bill No. 776 do pass. (61-21)

That House Bill No. 1013 do pass. (78-0)

Cox resumes the chair.

That House Bill No. 1014 be amended in Section 1, page 2, line 6 by striking the word "fabrication" and inserting in lieu thereof the word "assembly" (73-0), and

As amended, do pass. (57-29)

That House Bill No. 1017 be amended on page 6, line 8 of the second reading bill by adding a new sentence after the word and punctuation "not." which reads as follows: "Provided, however, condominiums constructed on land divided in compliance with this chapter are exempt from the provisions of this chapter." (78-1), and

Further amend Section 7, page 24, line 17 by striking all material after the word "Recorder" through the word "act." on page 25, line 2 (79-0), and

As amended, do pass. (78-8)

That House Bill No. 1016 do pass. (79-3)

That House Bill No. 1024 be amended in Section 5, page 18, line 10 after the word "identifiable" by adding the following new language: "without first having published" (63-0), and

As amended, do pass. (61-26)

That House Bill No. 1032 do pass. (53-32)

That House Bill No. 1047 be amended in Section 2, page 2, line 10 of the second reading bill by striking the word "public" and inserting in lieu thereof the words "regulated gas or electric", and

Further amend Section 3, Subsection (1), page 2, line 15 by striking the word "public" and inserting in lieu thereof the words "regulated gas or electric", and

Further amend Section 3, Subsection 2, page 3, line 18 by striking the word "public" and inserting in lieu thereof the words "regulated gas or electric", and

Further amend Section 4, page 3, line 25 by striking the word "public" and inserting in lieu thereof the words "regulated gas or electric" (53-19), and

As amended, do not pass. (56-35) *

That House Bill No. 1048 do pass. (78-3)

That House Bill No. 1053 do pass. (74-4)

That House Bill No. 1062 do not pass. (48-24)

That House Bill No. 1099 do pass. (85-0)

Kolstad present at this time.

That House Joint Resolution No. 43 do pass. (52-38)

That House Joint Resolution No. 73 do pass. (88-2)

That House Joint Resolution No. 82 do pass. (86-0)

That House Bill No. 326 do not pass. (47-46)

That the committee rise and report and beg leave to sit again.

As a substitute motion, Brand moved that House Bill No. 567 be segregated from the Committee of the Whole report.

Motion carried.

As a substitute motion, Towe moved that House Bill No. 326 be segregated from the Committee of the Whole report.

Motion carried.

COX, Chairman

Report adopted, as amended.

MOTIONS

Gunderson moved that House Joint Resolution No. 75 be taken from the Committee on Long-Range Building and placed on Second Reading for consideration this day.

Motion carried.

REPORTS OF STANDING COMMITTEES

February 21, 1974

I have examined House Resolution No. 52 introduced by me and find the same to be correct.

WATT

February 21, 1974

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bill No. 812, House Bill No. 763, House Bill No. 804, House Bill No. 663, do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day, at the hour of 10:10 o'clock, a.m., delivered to the Governor for his approval.

QUILICI, Chairman

February 21, 1974

I have examined House Bill No. 769 introduced by me and find the same to be correct.

GERKE

February 21, 1974

I have examined House Bill No. 232 introduced by me and find the same to be correct.

BARDANOUVE

February 21, 1974

I have examined House Bill No. 744 introduced by me and find the same to be correct.

FLYNN

February 21, 1974

I have examined House Bill No. 800 introduced by me and find the same to be correct.

GUNDERSON

February 21, 1974

I have examined House Bill No. 77 introduced by me and find the same to be correct.

LUND

February 21, 1974

I have examined House Bill No. 987 introduced by me and find the same to be correct.

HAINES

February 21, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills and resolution correctly enrolled: House Bill No. 77, House Bill No. 232, House Bill No. 744, House Bill No. 769, House Bill No. 800, House Bill No. 987, House Resolution No. 52.

QUILICI, Chairman

February 21, 1974

The following bills and resolution will be signed on adjournment on February 21, 1974, in the office of the Speaker of the House of Representatives: House Bill No. 77, House Bill No. 232, House Bill No. 744, House Bill No. 769, House Bill No. 800, House Bill No. 987, House Resolution No. 52, Senate Bill No. 484, Senate Bill No. 488.

EDWIN A. SMITH, Chief Clerk
House of Representatives

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 735 was adopted by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Clemow, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Jacobsen, Johnston, Jones, Kendall, Kessner, Kolstad, Kosena, Laas, Lee, Lien, Lombardi, Lynch, McKittrick, Mann, Manuel, Marbut, Mehrens, Menahan, Murphy, Olson, Prevost, Quilici, Regan, Rolfe, Schepens, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 77.

Noes: None.

Excused: Burnett, Hall, Holtz, Mercer, Zimmer. Total 5.

Absent or not voting: Campbell, Castles, Colberg, Gunderson, Hubing, Huennekens, Kimble, Kvaalen, Lockrem, Lucas, Lund, Lundgren, Marks, Norman, Roberts, Schye, Stoltz, Walborn. Total 18.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Fasbender moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading under the rules of the previous sitting.

Motion carried.

Cox in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

February 21, 1974

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That House Bill No. 567 be amended in Section 16, Subsection 1, page 21, line 15 of the second reading bill after the word "division" by striking the word "may" and inserting in lieu thereof the word "shall" (68-10), and

Further amend Section 19, page 25, line 11 of the second reading bill after the word "license" by striking all the remaining language: "under this act at the time of its effective date, may renew it for one (1) year under the provisions of the old

law. Thereafter, all applicants for licenses shall comply with the provisions of this act." (58-25), and

As amended, do pass. (55-36)

That House Bill No. 326 do pass. (50-44)

That House Joint Resolution No. 75 do pass. (75-15)

That the committee rise and report.

COX, Chairman

Report adopted.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 371 was passed by the following vote:

Ayes: Aageson, Ainsworth, Baeth, Bardanouve, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Colberg, Cotton, Driscoll, Edland, Fagg, Fasbender, Fleming, Forsgren, Glennen, Greely, Gunderson, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Huennekens, Jacobsen, Johnston, Kendall, Kimble, Kosena, Kvaalen, Laas, Lee, Lien, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Mehrens, Menahan, Murphy, Norman, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Shelden, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Ulmer, Warfield, Yardley, Mr. Speaker. Total 71.

Noes: Asbjornson, Barrett, Clemow, East, Ellerd, Galt, Hager, Hubing, Jones, Kessner, Kolstad, Lockrem, Marks, Olson, Schye, Seifert, Selstad, Smith, Walborn. Total 19.

Excused: Burnett, Hall, Holtz, Mercer, Zimmer. Total 5.

Absent or not voting: Cox, Flynn, Hageman, Turner, Watt. Total 5.

House Bill No. 474 was passed by the following vote:

Ayes: Ainsworth, Bardanouve, Baucus, Bennetts, Bradley, Brand, Brown, Colberg, Cotton, Cox, Driscoll, Edland, Fagg, Fasbender, Fleming, Greely, Gunderson, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Huennekens, Johnston, Kessner, Kimble, Kosena, Kvaalen, Laas, Lee, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Schepens, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Ulmer, Watt, Yardley, Mr. Speaker. Total 61.

Noes: Aageson, Asbjornson, Baeth, Barrett, Bell, Campbell, Castles, Clemow, East, Ellerd, Flynn, Forsgren, Galt, Glennen, Hager, Hubing, Jacobsen, Jones, Kendall, Kolstad, Lien, Mann, Marks, Rolfe, Schye, Seifert, Selstad, Shelden, Smith, Staigmiller, Turner, Walborn, Warfield. Total 33.

Excused: Burnett, Hall, Holtz, Mercer, Zimmer. Total 5.

Absent or not voting: Hageman. Total 1.

House Bill No. 620 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Seifert, Selstad, Shelden, Staigmiller, Stephens, Stoltz,

Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 91.

Noes: Schye, Smith, Walborn. Total 3.

Excused: Burnett, Hall, Holtz, Mercer, Zimmer. Total 5.

Absent or not voting: Fasbender. Total 1.

House Bill No. 749 was passed by the following vote:

Ayes: Baeth, Bardanouve, Barrett, Baucus, Bennetts, Bradley, Brand, Brown, Castles, Colberg, Cotton, Cox, Driscoll, Edland, Fagg, Fasbender, Fleming, Flynn, Greely, Gunderson, Hageman, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Huennekens, Johnston, Kendall, Kimble, Kosena, Lee, Lombardi, Lundgren, Lynch, McKittrick, Manuel, Marbut, Mehrens, Menahan, Murphy, Norman, Olson, Quilici, Regan, Roberts, Schepens, Staigmiller, Stephens, Stoltz, Swanberg, Towe, Turman, Warfield, Watt, Yardley. Total 58.

Noes: Aageson, Ainsworth, Asbjornson, Bell, Campbell, Clemow, East, Ellerd, Galt, Glennen, Hager, Hubing, Jacobsen, Jones, Kessner, Kolstad, Kvaalen, Laas, Lien, Lockrem, Lucas, Lund, Mann, Marks, Prevost, Rolfe, Schye, Seifert, Selstad, Smith, Tierney, Turner, Ulmer, Walborn, Mr. Speaker. Total 35.

Excused: Burnett, Hall, Holtz, Mercer, Zimmer. Total 5.

Absent or not voting: Forsgren, Shelden. Total 2.

House Bill No. 782 was passed by the following vote:

Ayes: Aageson, Baeth, Bardanouve, Baucus, Bradley, Brand, Brown, Campbell, Clemow, Colberg, Cotton, East, Edland, Fasbender, Fleming, Flynn, Forsgren, Greely, Gunderson, Hageman, Halvorson, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Kendall, Kimble, Kolstad, Kosena, Laas, Lee, Lombardi, Lucas, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Norman, Prevost, Quilici, Regan, Roberts, Schepens, Shelden, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Ulmer, Watt, Yardley, Mr. Speaker. Total 64.

Noes: Asbjornson, Barrett, Bell, Bennetts, Castles, Cox, Ellerd, Fagg, Galt, Glennen, Hager, H. Harper, Kessner, Kvaalen, Lien, Lockrem, Lund, Mann, Olson, Rolfe, Schye, Seifert, Selstad, Smith, Walborn, Warfield. Total 26

Excused: Burnett, Hall, Holtz, Mercer, Zimmer. Total 5.

Absent or not voting: Ainsworth, Driscoll, Haines, Jones, Turner. Total 5.

House Bill No. 783 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 95

Noes: None.

Excused: Burnett, Hall, Holtz, Mercer, Zimmer. Total 5.

Absent or not voting: None.

House Bill No. 805 was passed by the following vote:

Ayes: Ainsworth, Baeth, Bardanouve, Baucus, Bennetts, Bradley, Brand, Campbell, Colberg, Cotton, Cox, Driscoll, Edland, Fagg, Fasbender, Fleming, Flynn,

Glennen, Greely, Gunderson, Hageman, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Huennekens, Jacobsen, Johnston, Kendall, Kessner, Kimble, Kosena, Laas, Lee, Lien, Lombardi, Lund, Lynch, McKittrick, Manuel, Marbut, Mehrens, Menahan, Murphy, Norman, Quilici, Regan, Roberts, Rolfe, Schepens, Seifert, Shelden, Staigmilller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Warfield, Watt, Yardley, Mr. Speaker. Total 66.

Noes: Aageson, Asbjornson, Barrett, Bell, Brown, Castles, Clemow, East, Ellerd, Forsgren, Galt, Hager, Hubing, Jones, Kolstad, Kvaalen, Lockrem, Lucas, Lundgren, Mann, Marks, Olson, Prevost, Schye, Selstad, Smith, Turner, Ulmer, Walborn. Total 29.

Excused: Burnett, Hall, Holtz, Mercer, Zimmer. Total 5.

Absent or not voting: None.

House Bill No. 887 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, Healy, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kosena, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmilller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 90.

Noes: R. Harper, Hodges. Total 2.

Excused: Burnett, Hall, Holtz, Mercer, Zimmer. Total 5.

Absent or not voting: Kolstad, Kvaalen, Laas. Total 3.

House Bill No. 890 was passed by the following vote:

Ayes: Baeth, Bardanouve, Baucus, Bennetts, Bradley, Brand, Brown, Colberg, Cotton, Driscoll, Edland, Fagg, Fasbender, Fleming, Flynn, Forsgren, Greely, Gunderson, Hageman, H. Harper, R. Harper, Healy, Hodges, Holmes, Huennekens, Kendall, Kimble, Kosena, Laas, Lee, Lombardi, Lundgren, Manuel, Marbut, Mehrens, Menahan, Murphy, Norman, Prevost, Quilici, Regan, Roberts, Schepens, Shelden, Staigmilller, Stephens, Stoltz, Swanberg, Towe, Turman, Turner, Ulmer, Watt, Yardley. Total 54.

Noes: Aageson, Ainsworth, Asbjornson, Barrett, Bell, Campbell, Castles, Clemow, Cox, East, Ellerd, Galt, Glennen, Hager, Haines, Halvorson, Hubing, Jacobsen, Johnston, Jones, Kessner, Kolstad, Kvaalen, Lien, Lockrem, Lucas, Lund, Lynch, McKittrick, Mann, Marks, Olson, Rolfe, Schye, Seifert, Selstad, Smith, Tierney, Walborn, Warfield, Mr. Speaker. Total 41.

Excused: Burnett, Hall, Holtz, Mercer, Zimmer. Total 5.

Absent or not voting: None.

House Bill No. 900 was passed by the following vote:

Ayes: Baeth, Bardanouve, Baucus, Bennetts, Bradley, Brand, Colberg, Cotton, Driscoll, Edland, Fagg, Fasbender, Fleming, Flynn, Glennen, Greely, Gunderson, Hageman, Haines, R. Harper, Healy, Hodges, Holmes, Huennekens, Johnston, Jones, Kimble, Kolstad, Kosena, Lee, Lombardi, Lucas, Lynch, McKittrick, Marbut, Mehrens, Menahan, Murphy, Norman, Quilici, Regan, Roberts, Schepens, Shelden, Staigmilller, Stoltz, Swanberg, Tierney, Towe, Turman, Warfield, Watt, Yardley, Mr. Speaker. Total 54.

Noes: Aageson, Ainsworth, Asbjornson, Barrett, Bell, Brown, Burnett, Campbell, Castles, Clemow, Cox, East, Ellerd, Forsgren, Galt, Hager, Halvorson, H. Harper, Jacobsen, Kendall, Kessner, Kvaalen, Lien, Lockrem, Lund, Manuel, Marks, Olson, Prevost, Rolfe, Schye, Seifert, Selstad, Smith, Stephens, Turner, Ulmer, Walborn. Total 38.

Paired: Quilici, Aye; Burnett, Nay.

Excused: Hall, Holtz, Mercer, Zimmer. Total 4.

Absent or not voting: Hubing, Laas, Lundgren, Mann. Total 4.

House Bill No. 909 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Colberg, Cotton, Cox, Driscoll, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Hodges, Holmes, Huennekens, Jacobsen, Kendall, Kimble, Kolstad, Kvaalen, Lee, Lockrem, Lucas, Lund, Lundgren, McKittrick, Manuel, Marbut, Marks, Murphy, Olson, Prevost, Quilici, Regan, Rolfe, Schepens, Shelden, Staigmilller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Ulmer, Warfield, Yardley, Mr. Speaker. Total 69.

Noes: Bell, Clemow, East, Galt, Healy, Hubing, Johnston, Jones, Kessner, Kosena, Laas, Lien, Lombardi, Lynch, Mehrens, Menahan, Norman, Roberts, Schye, Seifert, Selstad, Smith, Turner, Walborn, Watt. Total 25.

Excused: Burnett, Hall, Holtz, Mercer, Zimmer. Total 5.

Absent or not voting: Mann. Total 1.

House Bill No. 924 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Barrett, Baucus, Bell, Bennetts, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Selstad, Shelden, Staigmilller, Stephens, Stoltz, Swanberg, Tierney, Turman, Turner, Warfield, Watt, Yardley, Mr. Speaker. Total 87.

Noes: Bardanouve, Smith, Ulmer, Walborn. Total 4.

Excused: Burnett, Hall, Holtz, Mercer, Zimmer. Total 5.

Absent or not voting: Bradley, East, Seifert, Towe. Total 4.

House Bill No. 964 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Forsgren, Galt, Glennen, Greely, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Staigmilller, Stephens, Swanberg, Tierney, Towe, Turman, Warfield, Watt, Mr. Speaker. Total 85.

Noes: Flynn, Gunderson, Kosena, McKittrick, Stoltz, Walborn, Yardley. Total 7.

Excused: Burnett, Hall, Holtz, Mercer, Zimmer. Total 5.

Absent or not voting: Smith, Turner, Ulmer. Total 3.

House Bill No. 1005 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bennetts, Bradley, Brand, Brown, Campbell, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Jones,

Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Shelden, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 89.

Noes: Bell, Castles, Galt, Seifert, Selstad, Smith. Total 6.

Excused: Burnett, Hall, Holtz, Mercer, Zimmer. Total 5.

Absent or not voting: None.

House Bill No. 1007 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Shelden, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 88.

Noes: East, Hubing, Lockrem, Schye, Seifert, Selstad, Smith. Total 7.

Excused: Burnett, Hall, Holtz, Mercer, Zimmer. Total 5.

Absent or not voting: None.

House Bill No. 1011 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Quilici, Regan, Rolfe, Schepens, Selstad, Shelden, Stephens, Stoltz, Swanberg, Tierney, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 86.

Noes: Brand, East, Hubing, Roberts, Schye, Seifert, Smith, Staigmiller. Total 8.

Excused: Burnett, Hall, Holtz, Mercer, Zimmer. Total 5.

Absent or not voting: Towe. Total 1.

House Bill No. 1015 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Smith, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 89.

Noes: Fagg, Hager, Kolstad, Selstad, Shelden. Total 5.

Excused: Burnett, Hall, Holtz, Mercer, Zimmer. Total 5.

Absent or not voting: Staigmiller. Total 1.

House Bill No. 1021 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 93.

Noes: None.

Excused: Burnett, Hall, Holtz, Mercer, Zimmer. Total 5.

Absent or not voting: Smith, Walborn. Total 2.

House Bill No. 1039 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Barrett, Baucus, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Colberg, Cotton, Cox, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Glennen, Greely, Gunderson, Hageman, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Huennekens, Jacobsen, Johnston, Kendall, Kimble, Kolstad, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Marbut, Mehrens, Menahan, Murphy, Norman, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Seifert, Shelden, Staigmiller, Stephens, Stoltz, Swanberg, Towe, Turman, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 74.

Noes: Bardanouve, Bell, Clemow, Driscoll, East, Galt, Hager, Haines, Hubing, Jones, Kessner, Kosena, Kosen, Manuel, Marks, Olson, Schye, Selstad, Smith, Tierney, Turner, Walborn. Total 21.

Excused: Burnett, Hall, Holtz, Mercer, Zimmer. Total 5.

Absent or not voting: None.

House Bill No. 1050 was passed by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Selstad, Shelden, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 89.

Noes: Schye, Seifert, Smith, Walborn. Total 4.

Excused: Burnett, Hall, Holtz, Mercer, Zimmer. Total 5.

Absent or not voting: Ainsworth, Mann. Total 2.

House Bill No. 1056 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Brand, Brown, Castles, Clemow, Colberg, Cotton, Cox, East, Edland, Ellerd, Fagg, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marks, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 87.

Noes: Bradley, Driscoll, Fasbender, R. Harper, Marbut. Total 5.

Excused: Burnett, Hall, Holtz, Mercer, Zimmer. Total 5.

Absent or not voting: Campbell, Smith, Walborn. Total 3.

House Bill No. 1101 was passed by the following vote:

Ayes: Ageson, Ainsworth, Baeth, Bardanouve, Baucus, Bennetts, Bradley, Brand, Brown, Campbell, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Kendall, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Shelden, Smith, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 79.

Noes: Asbjornson, Barrett, Bell, Castles, Clemow, Haines, Johnston, Jones, Kessner, Lund, Mann, Schye, Seifert, Selstad, Turner. Total 15.

Excused: Burnett, Hall, Holtz, Mercer, Zimmer. Total 5.

Absent or not voting: Lundgren. Total 1.

House Joint Resolution No. 80 was passed by the following vote:

Ayes: Ageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 94.

Noes: None.

Excused: Burnett, Hall, Holtz, Mercer, Zimmer. Total 5.

Absent or not voting: Smith. Total 1.

House Joint Resolution No. 81 was passed by the following vote:

Ayes: Ageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Seifert, Shelden, Staigmillier, Stephens, Stoltz, Swanberg, Towe, Turman, Warfield, Watt, Yardley, Mr. Speaker. Total 86.

Noes: Barrett, Hager, Selstad, Smith, Tierney, Ulmer, Walborn. Total 7.

Excused: Burnett, Hall, Holtz, Mercer, Zimmer. Total 5.

Absent or not voting: Schye, Turner. Total 2.

House Bill No. 280 failed to pass by the following vote:

Ayes: Baeth, Bardanouve, Baucus, Bennetts, Bradley, Colberg, Driscoll, Edland, Fasbender, Fleming, Flynn, Greely, Gunderson, Hageman, R. Harper, Healy, Hodges, Holmes, Huennekens, Jacobsen, Johnston, Kendall, Kimble, Laas, Lee, Lien, Lynch, Manuel, Marbut, Mehrens, Menahan, Murphy, Norman, Prevost, Quilici, Regan, Roberts, Schepens, Shelden, Staigmillier, Stephens, Stoltz, Swanberg, Towe, Turman, Watt, Yardley, Mr. Speaker. Total 48.

Noes: Aageson, Ainsworth, Asbjornson, Barrett, Bell, Brand, Brown, Burnett, Campbell, Castles, Clemow, Cotton, Cox, East, Ellerd, Fagg, Forsgren, Galt, Glennen, Hager, Haines, H. Harper, Hubing, Jones, Kessner, Kolstad, Kosena, Kvaalen, Lockrem, Lombardi, Lucas, Lund, Lundgren, McKittrick, Mann, Marks, Mercer, Olson, Rolfe, Schye, Seifert, Selstad, Smith, Tierney, Turner, Ulmer, Walborn, Warfield. Total 48.

Paired: Fasbender, Prevost, Roberts, aye; Burnett, East, Mercer, nay.

Excused: Hall, Holtz, Zimmer. Total 3.

Absent or not voting: Halvorson. Total 1.

House Bill No. 494 failed to pass by the following vote:

Ayes: Ainsworth, Bardanouve, Baucus, Bradley, Campbell, Colberg, Cox, Driscoll, Edland, Fagg, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hager, H. Harper, R. Harper, Healy, Hodges, Huennekens, Kimble, Kosena, Lee, Lombardi, Lucas, McKittrick, Mann, Marbut, Menahan, Murphy, Norman, Olson, Quilici, Regan, Schye, Stoltz, Swanberg, Towe, Turman, Walborn, Warfield, Watt, Yardley. Total 45.

Noes: Aageson, Asbjornson, Baeth, Barrett, Bell, Bennetts, Brand, Brown, Castles, Clemow, Cotton, East, Fleming, Hageman, Haines, Halvorson, Holmes, Hubing, Jacobsen, Johnston, Jones, Kendall, Kessner, Kolstad, Kvaalen, Laas, Lien, Lockrem, Lund, Lundgren, Lynch, Manuel, Marks, Mehrens, Prevost, Roberts, Rolfe, Schepens, Seifert, Selstad, Shelden, Smith, Staigmillier, Stephens, Tierney, Turner, Ulmer, Mr. Speaker. Total 48.

Excused: Burnett, Hall, Holtz, Mercer, Zimmer. Total 5.

Absent or not voting: Ellerd, Fasbender. Total 2.

House Bill No. 634 was passed by the following vote:

Ayes: Asbjornson, Baeth, Barrett, Baucus, Bell, Bennetts, Bradley, Campbell, Castles, Colberg, Cotton, Cox, Edland, Fagg, Forsgren, Glennen, Greely, Gunderson, Hager, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kimble, Kosena, Laas, Lee, Lien, Lombardi, Lucas, Lund, Lundgren, Lunch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Norman, Quilici, Regan, Roberts, Shelden, Smith, Stephens, Stoltz, Swanberg, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 65.

Noes: Aageson, Brand, Brown, Clemow, Driscoll, Ellerd, Flynn, Galt, Hageman, Haines, Kessner, Kolstad, Kvaalen, Mann, Olson, Prevost, Rolfe, Schepens, Seifert, Selstad, Staigmillier, Tierney, Walborn. Total 23.

Excused: Burnett, Hall, Holtz, Mercer, Zimmer. Total 5.

Absent or not voting: Ainsworth, Bardanouve, East, Fasbender, Fleming, Lockrem, Schye. Total 7.

House Bill No. 683 failed to pass by the following vote:

Ayes: Ainsworth, Bardanouve, Baucus, Bennetts, Brown, Colberg, Cotton, Driscoll, Edland, Flynn, Greely, Hageman, Haines, H. Harper, R. Harper, Holmes, Huennekens, Kendall, Kosena, Laas, Mann, Manuel, Marbut, Murphy, Norman, Regan, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Warfield, Watt, Yardley. Total 35.

Noes: Aageson, Asbjornson, Baeth, Barrett, Bell, Brand, Campbell, Castles, Clemow, East, Ellerd, Forsgren, Galt, Glennen, Gunderson, Hager, Halvorson, Healy, Hodges, Hubing, Jacobsen, Johnston, Jones, Kessner, Kimble, Kolstad, Kvaalen, Lee, Lien, Lombardi, Lucas, Lund, Lynch, McKittrick, Marks, Mehrens, Menahan, Olson, Prevost, Quilici, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmillier, Turner, Ulmer, Walborn, Mr. Speaker. Total 53.

Excused: Burnett, Hall, Holtz, Mercer, Zimmer. Total 5.

Absent or not voting: Bradley, Cox, Fagg, Fasbender, Fleming, Lockrem, Lundgren. Total 7.

House Bill No. 722 was passed by the following vote:

Ayes: Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bennetts, Bradley, Brand, Brown, Colberg, Cotton, Cox, Driscoll, Edland, Fleming, Flynn, Forsgren, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Huennekens, Jacobsen, Kendall, Kessner, Kimble, Kvaalen, Laas, Lee, Lien, McKittrick, Manuel, Marbut, Murphy, Norman, Olson, Prevost, Regan, Roberts, Rolfe, Schepens, Shelden, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Warfield, Watt, Yardley, Mr. Speaker. Total 61.

Noes: Aageson, Bell, Campbell, Castles, Clemow, East, Ellerd, Galt, Hubing, Johnston, Jones, Kolstad, Kosena, Lombardi, Lund, Lundgren, Lynch, Mann, Mehrens, Menahan, Quilici, Schye, Seifert, Selstad, Smith, Ulmer, Walborn. Total 27.

Excused: Burnett, Hall, Holtz, Mercer, Zimmer. Total 5.

Absent or not voting: Ainsworth, Fagg, Fasbender, Holmes, Lockrem, Lucas, Marks. Total 7.

House Bill No. 785 was passed by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, R. Harper, Healy, Hodges, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kolstad, Kosena, Laas, Lee, Lien, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 86.

Noes: Bennetts, H. Harper, Holmes, Kimble. Total 4.

Excused: Burnett, Hall, Holtz, Mercer, Zimmer. Total 5.

Absent or not voting: Ainsworth, Kvaalen, Lockrem, Smith, Walborn. Total 5.

House Bill No. 797 was passed by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 92.

Noes: None.

Excused: Burnett, Hall, Holtz, Mercer, Zimmer. Total 5.

Absent or not voting: Ainsworth, Kendall, Schye. Total 3.

House Bill No. 798 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Norman, Olson, Prevost,

Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmilller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 95.

Noes: None.

Excused: Burnett, Hall, Holtz, Mercer, Zimmer. Total 5.

Absent or not voting: None.

House Bill No. 820 was passed by the following vote:

Ayes: Aageson, Ainsworth, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, Edland, Fاسبender, Fleming, Flynn, Forsgren, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Huennekens, Jacobsen, Johnston, Jones, Kimble, Kosena, Laas, Lee, Lockrem, Lombardi, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Norman, Olson, Quilici, Regan, Roberts, Schepens, Shelden, Staigmilller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Mr. Speaker. Total 75.

Noes: Asbjornson, East, Ellerd, Fagg, Galt, Hubing, Kessner, Kolstad, Kvaalen, Lien, Prevost, Rolfe, Schye, Seifert, Selstad, Smith, Walborn, Yardley. Total 18.

Excused: Burnett, Hall, Holtz, Mercer, Zimmer. Total 5.

Absent or not voting: Kendall, Lucas. Total 2.

House Bill No. 850 was passed by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Fagg, Fاسبender, Fleming, Flynn, Forsgren, Glennen, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Laas, Lee, Lien, Lombardi, Lucas, Lund, Lundgren, Lynch, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Norman, Olson, Quilici, Roberts, Rolfe, Schepens, Selstad, Shelden, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Mr. Speaker. Total 75.

Noes: Ellerd, Galt, Greely, Gunderson, Hageman, Hager, Holmes, Kvaalen, Lockrem, McKittrick, Mann, Prevost, Regan, Schye, Seifert, Smith, Walborn, Yardley. Total 18.

Excused: Burnett, Hall, Holtz, Mercer, Zimmer. Total 5.

Absent or not voting: Ainsworth, Staigmilller. Total 2.

House Bill No. 864 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fاسبender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmilller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 92.

Noes: None.

Excused: Burnett, Hall, Holtz, Mercer, Zimmer. Total 5.

Absent or not voting: Bardanouve, Fagg, Lockrem. Total 3.

House Bill No. 875 was passed by the following vote:

Ayes: Aageson, Ainsworth, Baeth, Bardanouve, Barrett, Baucus, Bennetts, Bradley, Brand, Brown, Colberg, Cotton, Cox, Driscoll, East, Edland, Fagg, Fasbender, Fleming, Flynn, Forsgren, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Schepens, Schye, Shelden, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 77.

Noes: Asbjornson, Bell, Campbell, Castles, Clemow, Ellerd, Galt, Johnston, Jones, Kendall, Kessner, Lucas, Rolfe, Seifert, Selstad, Smith, Turner, Walborn. Total 18.

Excused: Burnett, Hall, Holtz, Mercer, Zimmer. Total 5.

Absent or not voting: None.

House Bill No. 889 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 90.

Noes: Haines, Lien, Total 2.

Excused: Bennetts, Hall, Holtz, Mercer, Zimmer. Total 5.

Absent or not voting: Burnett, Lockrem, Towe. Total 3.

House Bill No. 969 was passed by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Clemow, Colberg, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Laas, Lee, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Shelden, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 84.

Noes: Castles, Cotton, Haines, Kvaalen, Lien, Selstad, Smith, Staigmiller, Walborn. Total 9.

Excused: Burnett, Hall, Holtz, Mercer, Zimmer. Total 5.

Absent or not voting: Ainsworth, Marks. Total 2.

House Bill No. 776 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Barrett, Baucus, Bennetts, Bradley, Brand, Brown, Campbell, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Forsgren, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, Hodges, Holmes, Hubing, Huennekens, Johnston, Jones, Kendall, Kimble, Kolstad, Kosena, Laas, Lien, Lockrem, Lucas, Lund, Lundgren, McKittrick, Manuel, Marbut, Murphy, Norman, Olson, Prevost, Regan, Roberts, Schepens, Schye, Seifert, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 74.

Noes: Bardanouve, Bell, Castles, Flynn, Galt, R. Harper, Healy, Jacobsen, Kessner, Kvaalen, Lee, Lombardi, Lynch, Mann, Marks, Menahan, Quilici, Rolfe, Selstad, Ulmer. Total 20.

Excused: Burnett, Hall, Holtz, Mercer, Zimmer. Total 5.

Absent or not voting: Mehrens. Total 1.

House Bill No. 1013 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 93.

Noes: None.

Excused: Burnett, Hall, Holtz, Mercer, Zimmer. Total 5.

Absent or not voting: Fagg, Kvaalen. Total 2.

House Bill No. 1014 was passed by the following vote:

Ayes: Aageson, Ainsworth, Baeth, Bardanouve, Baucus, Bennetts, Bradley, Brand, Brown, Colberg, Cotton, Cox, Driscoll, Edland, Fasbender, Fleming, Flynn, Forsgren, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Huennekens, Jacobsen, Kimble, Kolstad, Kosena, Laas, Lee, Lien, Lombardi, Lucas, Lynch, McKittrick, Manuel, Marbut, Mehrens, Menahan, Murphy, Norman, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Shelden, Staigmillier, Stephens, Stoltz, Tierney, Towe, Turman, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 65.

Noes: Asbjornson, Barrett, Bell, Campbell, Castles, Clemow, East, Ellerd, Galt, Glennen, Hubing, Johnston, Jones, Kendall, Kessner, Kvaalen, Lund, Lundgren, Mann, Marks, Olson, Schye, Seifert, Selstad, Smith, Turner, Walborn. Total 27.

Excused: Burnett, Hall, Holtz, Mercer, Zimmer. Total 5.

Absent or not voting: Fagg, Lockrem, Swanberg. Total 3.

House Bill No. 1017 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kessner, Kimble, Kolstad, Kosena, Laas, Lee, Lien, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Schepens, Schye, Seifert, Shelden, Smith, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 88.

Noes: Ellerd, Kendall, Rolfe, Selstad. Total 4.

Excused: Burnett, Hall, Holtz, Mercer, Zimmer. Total 5.

Absent or not voting: Fagg, Kvaalen, Lockrem. Total 3.

House Bill No. 1016 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens,

Menahan, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Schepens, Schye, Shelden, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 86.

Noes: Ellerd, Kendall, Rolfe, Seifert, Selstad, Turner. Total 6.

Excused: Burnett, Hall, Holtz, Mercer, Zimmer. Total 5.

Absent or not voting: Fagg, Lundgren, Smith. Total 3.

House Bill No. 1024 was passed by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bennetts, Bradley, Brand, Brown, Colberg, Cotton, Driscoll, Edland, Fاسبender, Fleming, Flynn, Greely, Gunderson, Hageman, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Huennekens, Jacobsen, Johnston, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lockrem, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Schepens, Shelden, Staigmiller, Stephens, Stoltz, Tierney, Towe, Turman, Ulmer, Watt, Mr. Speaker. Total 67.

Noes: Ainsworth, Bell, Campbell, Castles, Clemow, East, Ellerd, Forsgren, Galt, Glennen, Hager, Haines, Hubing, Jones, Lien, Lombardi, Rolfe, Schye, Seifert, Selstad, Smith, Turner, Walborn, Warfield, Yardley. Total 25.

Excused: Burnett, Hall, Holtz, Mercer, Zimmer. Total 5.

Absent or not voting: Cox, Fagg, Swanberg. Total 3.

House Bill No. 1032 was passed by the following vote:

Ayes: Aageson, Baeth, Baucus, Bennetts, Bradley, Brand, Brown, Campbell, Clemow, Colberg, Cotton, Cox, Driscoll, Edland, Fاسبender, Fleming, Flynn, Forsgren, Glennen, Greely, Gunderson, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Huennekens, Kendall, Kessner, Kimble, Kosena, Laas, Lee, Lynch, McKittrick, Marbut, Marks, Mehrens, Menahan, Murphy, Norman, Quilici, Regan, Roberts, Shelden, Staigmiller, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Warfield, Watt, Yardley, Mr. Speaker. Total 57.

Noes: Ainsworth, Asbjornson, Barrett, Bell, Castles, East, Ellerd, Galt, Hageman, Hager, Haines, Hubing, Jacobsen, Johnston, Kolstad, Kvaalen, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Mann, Manuel, Prevost, Rolfe, Schepens, Schye, Seifert, Selstad, Smith, Stephens, Ulmer, Walborn. Total 34.

Excused: Burnett, Hall, Holtz, Mercer, Zimmer. Total 5.

Absent or not voting: Bardanouve, Fagg, Jones, Olson. Total 4.

House Bill No. 1048 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cox, Driscoll, East, Edland, Fagg, Fاسبender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Shelden, Staigmiller, Stephens, Stoltz, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 87.

Noes: Bardanouve, Ellerd, Selstad. Total 3.

Excused: Burnett, Hall, Holtz, Mercer, Zimmer. Total 5.

Absent or not voting: Cotton, Kendall, Smith, Swanberg, Walborn. Total 5.

House Bill No. 1053 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bennetts, Bradley, Brand, Brown, Campbell, Clemow, Colberg, Cox, East, Edland,

Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Schepens, Schye, Seifert, Selstad, Shelden, Staigmilller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 86.

Noes: Bell, Castles, Lien, Mann, Rolfe, Smith, Walborn. Total 7.

Excused: Burnett, Hall, Holtz, Mercer, Zimmer. Total 5.

Absent or not voting: Cotton, Driscoll. Total 2.

House Bill No. 1099 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Shelden, Staigmilller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 91.

Noes: None.

Excused: Burnett, Hall, Holtz, Mercer, Zimmer. Total 5.

Absent or not voting: Cotton, Selstad, Smith, Walborn. Total 4.

House Joint Resolution No. 43 was passed by the following vote:

Ayes: Baeth, Bardanouve, Baucus, Bennetts, Bradley, Brand, Brown, Colberg, Driscoll, Edland, Fagg, Fleming, Flynn, Forsgren, Glennen, Greely, Gunderson, Halvorson, H. Harper, R. Harper, Hodges, Holmes, Hubing, Huennekens, Kendall, Kimble, Kvaalen, Laas, Lien, Manuel, Marbut, Murphy, Norman, Prevost, Regan, Roberts, Rolfe, Schepens, Shelden, Staigmilller, Stephens, Stoltz, Tierney, Towe, Turman, Turner, Warfield, Watt, Yardley. Total 49.

Noes: Aageson, Ainsworth, Asbjornson, Barrett, Bell, Campbell, Castles, Clemow, East, Ellerd, Galt, Hager, Haines, Healy, Jacobsen, Johnston, Jones, Kessner, Kolstad, Kosena, Lee, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Marks, Mehrens, Menahan, Olson, Quilici, Schye, Seifert, Selstad, Smith, Ulmer, Walborn. Total 39.

Excused: Burnett, Hall, Holtz, Mercer, Zimmer. Total 5.

Absent or not voting: Cotton, Cox, Fasbender, Hageman, Lockrem, Swanberg, Mr. Speaker. Total 7.

House Joint Resolution No. 73 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hager, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Quilici, Roberts, Rolfe, Schepens, Seifert, Selstad, Shelden, Staigmilller, Stephens, Stoltz, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 85.

Noes: Haines, Schye, Smith, Walborn. Total 4.

Excused: Burnett, Hall, Holtz, Mercer, Zimmer. Total 5.

Absent or not voting: Cotton, Fasbender, Hageman, Lockrem, Regan, Swanberg. Total 6.

House Joint Resolution No. 82 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Seifert, Selstad, Shelden, Staigmillier, Stephens, Stoltz, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 90.

Noes: Campbell, Schye. Total 2.

Excused: Burnett, Hall, Holtz, Mercer, Zimmer. Total 5.

Absent or not voting: Smith, Swanberg, Walborn. Total 3.

House Bill No. 567 was passed by the following vote:

Ayes: Baeth, Bardanouve, Baucus, Bennetts, Bradley, Brand, Colberg, Cotton, Driscoll, Fagg, Fasbender, Fleming, Flynn, Glennen, Greely, Gunderson, Hageman, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Huennekens, Kendall, Kimble, Kosena, Laas, Lee, Lombardi, Lynch, McKittrick, Manuel, Marbut, Mehrens, Menahan, Murphy, Norman, Quilici, Regan, Roberts, Schepens, Shelden, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Watt, Yardley, Mr. Speaker. Total 53.

Noes: Aageson, Ainsworth, Asbjornson, Barrett, Bell, Brown, Campbell, Castles, Clemow, Cox, East, Ellerd, Forsgren, Galt, Hager, Haines, Hubing, Jacobsen, Johnston, Jones, Kessner, Kolstad, Kvaalen, Lien, Lucas, Lund, Lundgren, Mann, Marks, Prevost, Rolfe, Schye, Seifert, Selstad, Smith, Turner, Ulmer, Walborn, Warfield. Total 39.

Excused: Burnett, Hall, Holtz, Mercer, Zimmer. Total 5.

Absent or not voting: Edland, Lockrem, Olson. Total 3.

House Bill No. 326 was passed by the following vote:

Ayes: Baeth, Bardanouve, Baucus, Bennetts, Bradley, Brand, Colberg, Driscoll, Edland, Fasbender, Fleming, Flynn, Greely, Gunderson, Hageman, R. Harper, Healy, Hodges, Holmes, Huennekens, Jacobsen, Kendall, Kimble, Kosena, Laas, Lee, Lombardi, Lynch, McKittrick, Manuel, Marbut, Mehrens, Menahan, Murphy, Norman, Quilici, Regan, Roberts, Shelden, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Watt, Yardley, Mr. Speaker. Total 49.

Noes: Aageson, Ainsworth, Asbjornson, Barrett, Bell, Brown, Burnett, Campbell, Castles, Clemow, Cox, East, Ellerd, Fagg, Forsgren, Galt, Glennen, Hager, Haines, H. Harper, Hubing, Johnston, Jones, Kessner, Kolstad, Kvaalen, Lien, Lockrem, Lucas, Lund, Lundgren, Mann, Marks, Mercer, Olson, Prevost, Rolfe, Schepens, Schye, Seifert, Selstad, Smith, Turner, Ulmer, Walborn, Warfield. Total 46.

Paired: Brand, Driscoll, Aye; Burnett, Mercer, Nay.

Excused: Hall, Holtz, Zimmer. Total 3.

Absent or not voting: Cotton, Halvorson. Total 2.

House Joint Resolution No. 75 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely,

Gunderson, Hageman, Hager, Halvorson, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lombardi, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Murphy, Norman, Prevost, Quilici, Regan, Roberts, Schepens, Seifert, Sheldon, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Warfield, Watt, Yardley, Mr. Speaker. Total 77.

Noes: Bell, Bennetts, Cox, Haines, H. Harper, Kessner, Lockrem, Lucas, Mann, Menahan, Olson, Rolfe, Schye, Selstad, Smith, Turner, Ulmer, Walborn. Total 18.

Excused: Burnett, Hall, Holtz, Mercer, Zimmer. Total 5.

Absent or not voting: None.

MESSAGES FROM THE OTHER HOUSE

February 21, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was this day on Committee report, not concurred in, report adopted, and the bill is herewith returned to the House:

House Bill No. 637 introduced by Towe

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

February 21, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read three times, and concurred in, title and history agreed to, and the bills are herewith returned to the House:

House Bill No. 678 introduced by Cox

House Bill No. 780 introduced by Quilici, Lockrem, et al

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

February 21, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate, this day, reconsidered its action in adopting an adverse committee report on House Bill No. 759, and on motion, duly carried, requests the return of House Bill No. 759 for further consideration.

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

MOTIONS

Speaker Pro Tempore in the Chair.

Holmes, having voted on the prevailing side in failing to pass House Bill No. 494 on Third Reading, moved that the House reconsider its action.

Motion carried.

Cotton, having voted on the prevailing side in failing to pass House Bill No. 280 on Third Reading, moved that the House reconsider its action.

Motion carried.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

Speaker resumes the Chair.

House Bill No. 494 was passed by the following vote:

Ayes: Ainsworth, Bardanouve, Baucus, Bennetts, Bradley, Brand, Campbell, Colberg, Cox, Driscoll, Edland, Ellerd, Fagg, Fasbender, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hager, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Huennekens, Kimble, Kosena, Lee, Lockrem, Lucas, McKittrick, Marbut, Mercer, Norman, Quilici, Regan, Schye, Stoltz, Swanberg, Towe, Turman, Ulmer, Walborn, Warfield, Watt, Yardley. Total 49.

Noes: Aageson, Asbjornson, Baeth, Barrett, Bell, Brown, Castles, Clemow, Cotton, East, Fleming, Hageman, Haines, Hubing, Jacobsen, Johnston, Jones, Kendall, Kessner, Kolstad, Kvaalen, Laas, Lien, Lombardi, Lund, Lundgren, Lynch, Mann, Manuel, Marks, Mehrens, Menahan, Murphy, Olson, Prevost, Roberts, Rolfe, Schepens, Seifert, Selstad, Shelden, Smith, Staigmilller, Stephens, Tierney, Turner, Mr. Speaker. Total 47.

Paired: Mercer, Aye; Kvaalen, Nay.

Excused: Burnett, Hall, Holtz, Zimmer. Total 4.

Absent or not voting: None.

House Bill No. 280 was passed by the following vote:

Ayes: Baeth, Bardanouve, Baucus, Bennetts, Bradley, Colberg, Cotton, Driscoll, Edland, Fasbender, Fleming, Flynn, Greely, Gunderson, Hageman, R. Harper, Healy, Hodges, Holmes, Huennekens, Jacobsen, Johnston, Kendall, Kimble, Laas, Lee, Lien, Lynch, Manuel, Marbut, Mehrens, Menahan, Murphy, Norman, Prevost, Quilici, Regan, Roberts, Schepens, Shelden, Staigmilller, Stephens, Stoltz, Swanberg, Towe, Turman, Watt, Yardley, Mr. Speaker. Total 49.

Noes: Aageson, Ainsworth, Asbjornson, Barrett, Bell, Brand, Brown, Burnett, Campbell, Castles, Clemow, Cox, East, Ellerd, Fagg, Forsgren, Galt, Glennen, Hager, Haines, H. Harper, Hubing, Jones, Kessner, Kolstad, Kosena, Kvaalen, Lockrem, Lombardi, Lucas, Lund, Lundgren, McKittrick, Mann, Marks, Mercer, Olson, Rolfe, Schye, Seifert, Selstad, Smith, Tierney, Turner, Ulmer, Walborn, Warfield. Total 47.

Paired: Bardanouve, Driscoll, Aye; Burnett, Mercer, Nay.

Excused: Hall, Holtz, Zimmer. Total 3.

Absent or not voting: Halvorson. Total 1.

Fasbender moved that the House adjourn until 1:30 p.m., February 22, 1974.

Motion carried.

House adjourned.

HAROLD E. GERKE, Speaker

EDWIN A. SMITH, Chief Clerk

FORTY-FIRST LEGISLATIVE DAY

Helena, Montana
February 22, 1974

House Chambers
Capitol Building

House convened at 1:30 p.m., Mr. Speaker in the Chair.

Invocation by Representative Clemow.

Pledge of Allegiance to the Flag.

Roll call. All members present except Burnett, Hall, Holtz, Marbut, Mercer and Zimmer, all excused; Smith, absent.

Quorum present.

Mr. Speaker: We, your Committee on Bills and Journal, having examined the daily journal for the Fortieth Legislative Day, find the same to be correct.

QUILICI, Chairman

REPORTS OF STANDING COMMITTEES

February 22, 1974

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bill No. 298, House Bill No. 770, House Bill No. 771, House Bill No. 787, House Bill No. 842, House Bill No. 855, do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day, at the hour of 10:00 o'clock, a.m., delivered to the Governor for his approval.

FLEMING, Vice-Chairman

February 22, 1974

Mr. Speaker: We, your Committee on Local Government, having had under consideration Senate Bill No. 501, respectfully report as follows: That Senate Bill No. 501 be amended on page 3, Third Reading, in lines 10 and 11 by omitting the following material: "nor more than forty", and

Be further amended in Section 7, page 6, following line 6, Third Reading, by inserting the following new material: "whenever monies are received by any corporation or association for merchandise sold by such corporation or association for future delivery, a merchandise trust fund shall be established and the wholesale cost of said merchandise deposited therein. The trustees shall administer this trust fund in accordance with this chapter. Upon delivery of said merchandise to the purchaser, the monies on deposit therefor, shall be paid to the corporation or association.", and

As amended, be concurred in.

KENDALL, Vice-Chairman

Report adopted.

February 22, 1974

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration Senate Bill No. 524, respectfully report as follows: That Senate Bill No. 524 be amended on page 1, Section 1, line 12 after the word "away" by inserting the words "for commercial purposes", and

As amended, be concurred in.

MEHRENS, Chairman

Report adopted.

February 22, 1974

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration Senate Bill No. 525, respectfully report as follows: That Senate Bill No. 525 be concurred in.

MEHRENS, Chairman

Report adopted.

February 22, 1974

Mr. Speaker: We, your Committee on Labor and Employment Relations, having had under consideration Senate Bill No. 704, respectfully report as follows: That Senate Bill No. 704 be concurred in.

McKITTRICK, Chairman

Report adopted.

February 22, 1974

Mr. Speaker: We, your Committee on Local Government, having had under consideration Senate Joint Resolution No. 54, respectfully report as follows: That Senate Joint Resolution No. 54 be concurred in.

KENDALL, Vice-Chairman

Report adopted.

MESSAGES FROM THE OTHER HOUSE

February 21, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day read three several times, at length, and passed, title and history agreed to, and the bills are herewith transmitted to the House for concurrence:

Senate Bill No. 434 introduced by McGowan, Aber, et al

Senate Bill No. 522 introduced by Hall, Zody and Keenan

Senate Bill No. 539 introduced by Bollinger and Klindt

Senate Bill No. 602 introduced by McGowan, Graham, et al

Senate Bill No. 610 introduced by Boylan, Darrow and Breeden

Senate Bill No. 623 introduced by Thiessen

Senate Bill No. 630 introduced by Lynch

Senate Bill No. 670 introduced by Devine

Senate Bill No. 681 introduced by Darrow, Bertsche, et al

Senate Bill No. 684 introduced by Bertsche and Cochrane

Senate Bill No. 697 introduced by Gilfeather and Siderius

Senate Bill No. 703 introduced by Committee on State Administration (by request)

Senate Bill No. 715 introduced by McNamer, Turnage, et al

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following bills and resolutions were introduced, read first time and referred to committees:

House Resolution No. 61, introduced by Fleming, Edland, Stephens, Galt, Ellerd, Johnston, Gunderson, Hageman, Cotton, Smith, Mann, Staigmiller, Lund, Hager, Clemow, Prevost, Brand: A Resolution of the House of Representatives of the State of Montana requesting the United States Congress to temporarily suspend pertinent provisions of the Jones Act in order to increase the supplies of ammonia or nitrogen for use in fertilizer. Referred to Committee on Agriculture.

House Resolution No. 62, introduced by Fasbender, Mann, Gunderson: A Resolution of the House of Representatives of the State of Montana requesting the Department of Business Regulation to study the feasibility of a state-operated milk quality testing program and to report its findings to the House of Representatives in 1975. Referred to Committee on State Administration.

Senate Bill No. 434, introduced by McGowan, Aber, Lowe, McOmber: A bill for an act entitled: "An act amending Sections 66-2601, 66-2602, 66-2604, 66-2608 and 66-2609, R.C.M. 1947; changing some portions of the definition of 'water well'; changing the composition of the Water Well Contractor's Examining Board; increasing requirements for licensing as a water well contractor; and changing bonding provisions." Referred to Committee on Natural Resources.

Senate Bill No. 522, introduced by Hall, Zody, Keenan: A bill for an act entitled: "An act to amend Section 23-4007, R.C.M. 1947, by providing for disposition of ballots by registrar." Referred to Committee on Constitution, Elections and Federal Relations.

Senate Bill No. 539, introduced by Bollinger, Klindt: A bill for an act entitled: "An act to amend Section 70-101, R.C.M. 1947, to provide for a five (5) member elected Public Service Commission from five (5) districts apportioned on the basis of population; and repealing Sections 70-102 and 72-101, R.C.M. 1947." Referred to Committee on State Administration.

Senate Bill No. 602, introduced by McGowan, Graham, Devine, Broeder, Cochrane, Lowe, McKeon: A bill for an act entitled: "An act to create a Legislative Advisory and Liaison Committee; defining its powers and duties with respect to the Montana State Bureau of Mines and Geology; and providing an effective date." Referred to Committee on Education.

Senate Bill No. 610, introduced by Boylan, Darrow, Breeden: A bill for an act entitled: "An act to amend emergency county zoning authority to provide for public notice, hearing and appeal procedures, by amending Section 16-4711, R.C.M. 1947." Referred to Committee on Local Government.

Senate Bill No. 623, introduced by Thiessen: A bill for an act entitled: "An act to amend Section 66-2902, R.C.M. 1947, to define practice of massage; to amend Section 66-2908, R.C.M. 1947, to provide the board authority to suspend license for failure to renew; to amend Section 66-2909, R.C.M. 1947, to allow a thirty (30) day grace period for license renewal and to request a ten dollar (\$10) late renewal fee; to amend Section 66-2910, R.C.M. 1947, to increase the per diem for board members to twenty-five dollars (\$25); to amend Section 66-2914, R.C.M. 1947, by removing the automatic exemption for certain organizations and to require all persons and organizations not specifically exempt to apply for exemption to be granted at boards discretion." Referred to Committee on State Administration.

Senate Bill No. 630, introduced by Lynch: A bill for an act entitled: "An act to amend Section 93-2002, R.C.M. 1947, permitting applicants approved prior to January 1, 1970 to be admitted to the bar by examination." Referred to Committee on Judiciary.

Senate Bill No. 670, introduced by Devine: A bill for an act entitled: "An act making certain acts of brewers illegal; providing mandatory contract provisions; allowing transfers of interest in wholesaler business; delineating when a contractual relationship exists; granting injunctive relief; and providing that all agreements, contracts or franchises be filed with the Montana Liquor Control Board." Referred to Committee on Business and Industry.

Senate Bill No. 681, introduced by Darrow, Bertsche, Mathers, Lowe, Zody, McGowan, McNamer, Northey, James: A bill for an act entitled: "An act creating the Strip Mine Siting Act and providing for control of the location of new strip mines and preparatory work; providing for permits, reclamation plans, and penalties." Referred to Committee on Natural Resources.

Senate Bill No. 684, introduced by Bertsche, Cochrane: A bill for an act entitled: "An act for the general revision of the laws relating to hard rock mining by amending Sections 50-1203, 50-1204, 50-1205, 50-1207, 50-1208, 50-1209, 50-1210, 50-1211, 50-1213, 50-1216, 50-1220, 50-1222; and repealing Sections 50-1217, 50-1218, 50-1221, R.C.M. 1947." Referred to Committee on Natural Resources.

Senate Bill No. 697, introduced by Gilfeather, Siderius: A bill for an act entitled: "An act to prevent discrimination in employment, public accommodations, education, and real property transactions; to establish a Commission on Human Rights; to authorize the creation of local commissions and to make uniform the law with reference thereto, and for other purposes; and repealing Sections 64-302 and 64-303, R.C.M. 1947." Referred to Committee on Judiciary.

Senate Bill No. 703, introduced by Committee on State Administration (by request): A bill for an act entitled: "An act to amend Sections 25-501 and 93-303, R.C.M. 1947, to implement the executive and judicial recommendations of the majority report of the Montana Salary Commission by increasing the compensation of elective officials in the executive and judicial branches; and providing for an effective date." Referred to Committee on State Administration.

Senate Bill No. 715, introduced by McNamer, Turnage, Zody, Keenan: A bill for an act entitled: "An act regulating abortions; providing for keeping of records of abortions; declaring the right to refuse to participate in abortions; protecting the life of the fetus; providing penalties and an effective date." Referred to Committee on Judiciary.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Fasbender moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading under the rules of the previous sitting.

Motion carried.

Kendall in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

February 22, 1974

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That House Resolution No. 50 be adopted. (79-0)

That Senate Bill No. 453 be concurred in. (76-1)

That Senate Bill No. 463 be amended in Section 1, page 1, line 18 of the third reading set forth in this section shall last only so long as (1) the suspension of the federal statute of limitation or (2) until one year after any federal changes have become final or any amended federal return is filed as a result of such suspension of the federal statute, whichever is the latest in time." (67-0), and

And, as amended, be concurred in. (71-1)

That Senate Bill No. 474 be concurred in. (75-0)

That Senate Bill No. 508 be concurred in. (71-12)

That Senate Bill No. 523 be concurred in. (74-0)

That Senate Bill No. 534 be amended in Section 1, page 2, line 9 after the word "tax," be adding the following new language: "provided the suspension of the limitation set forth in this section shall last only so long as (1) the suspension of the federal statute of limitation or (2) until one year after any federal changes have become final or any amended federal return is filed as a result of such suspension of the federal statute, whichever is the latest in time." (66-0), and

As amended, be concurred in. (70-0)

That Senate Bill No. 535 be concurred in. (68-1)

Galt excused at this time.

Turman replaces Kendall in the Chair.

That Senate Bill No. 537 be passed for the day.

That Senate Bill No. 540 be concurred in. (66-2)

That Senate Bill No. 566 be concurred in. (71-0)

That Senate Bill No. 569 be concurred in. (77-0)

That Senate Bill No. 584 be concurred in. (65-3)

That Senate Bill No. 585 be concurred in. (42-25)

That Senate Bill No. 588 be concurred in. (60-8)

That Senate Bill No. 590 be concurred in. (70-0)

That Senate Bill No. 605 be concurred in. (62-5)

That Senate Bill No. 606 be concurred in. (64-3)

That Senate Bill No. 615 be amended in the title, key line, page 1, line 4 of the engrossed bill following the figures "75-6404" by inserting the punctuation and figures ", 75-5912", and

Further amend the title, page 1, line 6 following the word "amend" by striking the word "Section" and inserting in lieu thereof the word "Sections", and

Further amend the title, page 1, line 7 following the figures "75-6404" by inserting the word and number "and 75-5912" (56-6), and

Further amend page 1, Section 1, following line 19 by adding the following new section:

"Section 2. Section 75-5912, R.C.M. 1947, is amended to read as follows:

'75-5912. Annual election. In each district an election of trustees shall be conducted annually on the regular school election day, the first Tuesday of April, unless an election of trustees is excused under the provisions of section 75-5914. Election of trustees shall comply with the election provisions of this title.", and

Further amend page 1, line 20 by renumbering the old Section 2 to be Section 3 (61-2), and

Kendall resumes the Chair.

As amended, be not concurred in. (52-24)

That Senate Bill No. 653 be concurred in. (71-2)

That the Committee rise and report.

As a substitute motion, H. Harper moved that Senate Bill No. 615 be segregated from the Committee of the Whole report.

Motion carried.

As a substitute motion, Tierney moved that Senate Bill No. 588 be segregated from the Committee of the Whole report.

Motion carried.

KENDALL, Chairman

Report adopted, as amended.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

Senate Bill No. 507 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Campbell, Castles, Clemow, Colberg, Cotton, East, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Kendall, Kessner, Kimble, Kolstad, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lynch, McKittrick, Mann, Marks, Mehrens,

Menahan, Murphy, Olson, Regan, Rolfe, Schepens, Seifert, Selstad, Staigmilller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 75.

Noes: Baeth, Brown, Cox, Jones, Lundgren, Roberts, Shelden. Total 7.

Excused: Burnett, Galt, Hall, Holtz, Marbut, Mercer, Zimmer. Total 7.

Absent or not voting: Bardanouve, Driscoll, Edland, Kosena, Manuel, Norman Prevost, Quilici, Schye, Smith, Walborn. Total 11.

Senate Bill No. 660 was moved to be placed back on Second Reading for consideration tomorrow.

Senate Bill No. 661 was concurred in by the following vote:

Ayes: Ageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Marks, Mehrens, Menahan, Murphy, Olson, Prevost, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Staigmilller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 84.

Noes: None.

Excused: Burnett, Galt, Hall, Holtz, Marbut, Mercer, Zimmer. Total 7.

Absent or not voting: Brand, East, Hubing, Kosena, Manuel, Norman, Quilici, Smith, Walborn. Total 9.

Senate Bill No. 662 was moved to be placed back on Second Reading for consideration tomorrow.

Senate Bill No. 663 was concurred in by the following vote:

Ayes: Ageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Mehrens, Menahan, Murphy, Olson, Prevost, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Staigmilller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 86.

Noes: None.

Excused: Burnett, Galt, Hall, Holtz, Marbut, Mercer, Zimmer. Total 7.

Absent or not voting: Bennetts, Kosena, Marks, Norman, Quilici, Smith, Walborn. Total 7.

Senate Bill No. 664 was concurred in by the following vote:

Ayes: Ageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fleming, Flynn, Forsgren, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marks, Mehrens, Menahan, Murphy, Olson, Prevost, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Staigmilller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 86.

Noes: None.

Excused: Burnett, Galt, Hall, Holtz, Marbut, Mercer, Zimmer. Total 7.

Absent or not voting: Bennetts, Fasbender, Kosena, Norman, Quilici, Smith, Walborn. Total 7.

Senate Amendments to House Bill No. 386 were concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kvaalen, Laas, Lee, Lien, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marks, Mehrens, Menahan, Murphy, Olson, Prevost, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Mr. Speaker. Total 84.

Noes: None.

Excused: Burnett, Galt, Hall, Holtz, Marbut, Mercer, Zimmer. Total 7.

Absent or not voting: Bennetts, Hubing, Kosena, Lockrem, Norman, Quilici, Smith, Walborn, Yardley. Total 9.

REPORTS OF STANDING COMMITTEES

February 22, 1974

I have examined House Joint Resolution No. 38 introduced by me and find the same to be correct.

R. HARPER

February 22, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following resolution correctly enrolled: House Joint Resolution No. 38.

QUILICI, Chairman

February 22, 1974

The following bills and resolution will be signed on adjournment on February 22, 1974, in the office of the Speaker of the House of Representatives:

House Joint Resolution No. 38, Senate Bill No. 551, Senate Bill No. 589.

EDWIN A. SMITH, Chief Clerk
House of Representatives

February 22, 1974

The following bills and resolution were signed in the office of the Speaker of the House of Representatives on February 21, 1974: House Bill No. 77, House Bill No. 232, House Bill No. 744, House Bill No. 769, House Bill No. 800, House Bill No. 987, House Resolution No. 52, Senate Bill No. 484, Senate Bill No. 488.

EDWIN A. SMITH, Chief Clerk
House of Representatives

February 22, 1974

Mr. Speaker: We, your Committee on Legislative Administration, recommend that the following be employed by the House of Representatives for the Second Regular Session of the 43rd Legislature at the beginning of business February 25, 1974:

Connie Cash.....	Page
Jacalyn Jensen.....	Page
Don Miller	Page

Shelley WuerlPage

At the beginning of business February 28, 1974 the following also be employed:

Margie BukvichPage

Beth Cumming.....Page

John Fitzgerald.....Page

Elaine Kolar.....Page

At the close of business February 23, 1974 the following be terminated:

Carol Anderson.....Page

Kate Fleming.....Page

Valerie Kaae.....Page

Jack Uhde.....Page

At the close of business February 27, 1974 the following be terminated:

Sherrill Fagg.....Page

Jeff Koehnke.....Page

Lori Linder.....Page

Gerre Maillet.....Page

EDLAND, Chairman

Report adopted.

February 22, 1974

Mr. Speaker: We, your Committee on Labor and Employment Relations, having had under consideration Senate Bill No. 489, respectfully report as follows: That Senate Bill No. 489 be amended in the title on page 1, lines 7, 8, and 9 of the third reading bill, after the material: "1947," by omitting the material: "removing the discretion of the division of workmens compensation to review a corporate officers election not to be bound;", and

Be further amended on page 1, Section 1, line 21, after the material: "promulgate," by inserting the material: "and subject in all cases to the approval of the division," and

As amended, be concurred in.

McKITTRICK, Chairman

Report adopted.

REPORTS OF SELECT COMMITTEES

House Bill No. 654

Joint Conference Committee Report

Mr. President and Speaker of the House:

We, your Joint Senate and House Conference Committee on House Bill No. 654, beg leave to report as follows:

That we met this day and considered Senate Committee of the Whole amendments to House Bill No. 654, dated February 13, 1974, and recommend as follows:

That the Senate recede from the Senate Committee of the Whole amendments to House Bill No. 654, dated February 13, 1974;

And that House Bill No. 654 be concurred in.

FOR THE SENATE:

ZODY
VANIO
McNAMER

FOR THE HOUSE:

LYNCH
HOLMES
COX

MESSAGE FROM THE GOVERNOR

February 22, 1974

Honorable Harold Gerke
Speaker of the House of Representatives
Capitol
Helena, Montana

Dear Mr. Speaker:

I have the honor to inform you that I have this day approved the following measures:

House Bills Nos.: 177, 752 and 763.

Sincerely,

THOMAS L. JUDGE
Governor

cc: Honorable Gordon McOmber

MESSAGE FROM THE OTHER HOUSE

February 22, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was this day on Committee report, not concurred in, report adopted, and the said bill is herewith returned to the House:

House Bill No. 761 introduced by Quilici, Lynch, et al

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

MOTIONS

Fasbender moved that the House accede to the Senatecs request and return House Bill No. 759 to the Senate for further consideration.

Motion carried.

Cox moved that Senate Bill No. 537 be taken from Second Reading and re-referred to the Committee on Local Government.

Motion carried.

Brand moved that Senate Bill No. 694 be taken from the Committee on State Administration and referred to the Committee on Business and Industry.

Fasbender moved that the House adjourn until 10:30 a.m., February 23, 1974

Motion carried.

House adjourned.

HAROLD E. GERKE, Speaker

EDWIN A. SMITH, Chief Clerk

FORTY-SECOND LEGISLATIVE DAY

Helena, Montana
February 23, 1974

House Chambers
Capitol Building

House convened at 10:30 a.m., Mr. Speaker in the Chair.

Invocation by the Chaplain.

Pledge of Allegiance to the Flag.

Roll call: All members present except Ainsworth, Brand, Brown, Burnett, Fleming, Galt, Greely, Haines, Hall, Holtz, Lockrem, Lundgren, Manuel, Marbut, Mercer, Quilici, Seifert, Tierney, Yardley and Zimmer all excused.

Quorum present.

Mr. Speaker: We, your Committee on Bills and Journal, having examined the daily journal for the Forty-first Legislative Day, find the same to be correct.

QUILICI, Chairman

REPORTS OF STANDING COMMITTEES

February 23, 1974

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bill No. 77, House Bill No. 232, House Bill No. 744, House Bill No. 769, House Bill No. 800, House Bill No. 987, do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day, at the hour of 9:45 o'clock a.m., delivered to the Governor for his approval.

QUILICI, Chairman

February 23, 1974

The following bills will be signed on adjournment on February 23, 1974, in the office of the Speaker of the House of Representatives: Senate Bill No. 575, Senate Bill No. 576, Senate Bill No. 667.

EDWIN A. SMITH, Chief Clerk
House of Representatives

February 23, 1974

The following bills and resolution were signed in the office of the Speaker of the House of Representatives on February 22, 1974: House Joint Resolution No. 38, Senate Bill No. 551, Senate Bill No. 589.

EDWIN A. SMITH, Chief Clerk
House of Representatives

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Fasbender moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading under the rules of the previous sitting.

Motion carried.

Barrett in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

February 23, 1974

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That the Conference Committee Report on House Bill No. 654 be placed below Senate Bill No. 662 on the board.

That Senate Bill No. 489 be concurred in. (72-2)

That Senate Bill No. 501 be passed for the day.

That Senate Bill No. 524 be passed for the day.

That Senate Bill No. 525 be passed for the day.

That Senate Bill No. 588 be passed for the day.

That Senate Bill No. 615 be passed for the day.

That Senate Bill No. 660 be amended in Section 2, after Subsection (5) on page 6, after the material on line 1 by adding a new Subsection (6) to read as follows: "(6) a special full-time pupil, as defined in section 75-6902, in a given school year will no longer be considered a special full-time pupil in the ensuing school year. The superintendent of public instruction may grant one ANB for such pupil for the ensuing school year." (66-0), and

As amended, be concurred in. (70-0)

That Senate Bill No. 662 be amended in Section 1, Subsection (20)(c), page 10, line 15 after the word "education" by omitting the word "budget" and inserting in lieu thereof the following material: "maximum-budget-without-a-vote amount", and

Be further amended on the Education Committee Standing Committee Report dated February 19, 1974 as follows: amend the 8th amendment on the page, to Section 1, which adds a new Subsection (22) to page 11, by omitting the following sentence at the end of the new subsection: "This amount reduced by the amount of special education funds reappropriated from the previous year will constitute the total maximum-budget-without-a-vote for special education for the given school year.", and

As amended, be concurred in. (76-0)

That the Conference Committee Report on House Bill No. 654 be adopted. (69-6)

That Senate Bill No. 668 be concurred in. (61-19)

That Senate Bill No. 704 be concurred in. (70-2)

That the committee rise and report.

BARRETT, Chairman

Report adopted.

MOTIONS

Fasbender moved that the Rules be suspended and Senate Bills Nos. 660 and 662 be placed on Third Reading this day.

Motion carried.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

Senate Bill No. 453 was concurred in by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Campbell, Castles, Clemow, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Flynn, Forsgren, Glennen, Gunderson, Hageman, Hager, Halvorson, H. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lombardi, Lucas, Lund, Lynch, Mann, Marks, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Regan, Roberts, Rolfe, Schepens, Schye, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Mr. Speaker. Total 77.

Noes: Colberg. Total 1.

Excused: Ainsworth, Brand, Brown, Burnett, Fleming, Galt, Greely, Haines, Hall, Holtz, Lockrem, Lundgren, Manuel, Marbut, Mercer, Quilici, Seifert, Tierney, Yardley, Zimmer. Total 20.

Absent or not voting: R. Harper, McKittrick. Total 2.

Senate Bill No. 463 was concurred in by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Flynn, Forsgren, Glennen, Hageman, Hager, Halvorson, H. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lombardi, Lucas, Lund, Lynch, McKittrick, Mann, Marks, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Regan, Roberts, Rolfe, Schepens, Schye, Selstad, Shelden, Smith, Staigmilller, Stephens, Stoltz, Swanberg, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Mr. Speaker. Total 78.

Noes: None.

Excused: Ainsworth, Brand, Brown, Burnett, Fleming, Galt, Greely, Haines, Hall, Holtz, Lockrem, Lundgren, Manuel, Marbut, Mercer, Quilici, Seifert, Tierney, Yardley, Zimmer. Total 20.

Absent or not voting: Gunderson, R. Harper. Total 2.

Senate Bill No. 474 was concurred in by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Flynn, Forsgren, Glennen, Hageman, Hager, Halvorson, H. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lombardi, Lucas, Lund, Lynch, McKittrick, Mann, Marks, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Regan, Roberts, Rolfe, Schepens, Schye, Selstad, Shelden, Smith, Staigmilller, Stephens, Stoltz, Swanberg, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Mr. Speaker. Total 78.

Noes: None.

Excused: Ainsworth, Brand, Brown, Burnett, Fleming, Galt, Greely, Haines, Hall, Holtz, Lockrem, Lundgren, Manuel, Marbut, Mercer, Quilici, Seifert, Tierney, Yardley, Zimmer. Total 20.

Absent or not voting: Gunderson, R. Harper. Total 2.

Senate Bill No. 508 was concurred in by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bennetts, Bradley, Campbell, Castles, Clemow, Cotton, Driscoll, East, Edland, Fagg, Fasbender, Flynn, Glennen, Gunderson, Hageman, Hager, Halvorson, H. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Kendall, Kessner, Kimble, Kolstad, Kosena, Laas, Lee, Lien, Lombardi, Lucas, Lund, McKittrick, Mann, Marks, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Regan, Roberts, Schepens, Schye, Selstad, Shelden, Staigmilller, Stephens, Stoltz, Swanberg, Towe, Turman, Turner, Ulmer, Warfield, Watt, Mr. Speaker. Total 68.

Noes: Bell, Colberg, Cox, Ellerd, Forsgren, Jones, Kvaalen, Lynch, Rolfe, Smith, Walborn. Total 11.

Excused: Ainsworth, Brand, Brown, Burnett, Fleming, Galt, Greely, Haines, Hall, Holtz, Lockrem, Lundgren, Manuel, Marbut, Mercer, Quilici, Seifert, Tierney, Yardley, Zimmer. Total 20.

Absent or not voting: R. Harper. Total 1.

Senate Bill No. 523 was concurred in by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bradley, Campbell, Castles, Clemow, Cotton, Cox, East, Edland, Ellerd, Fagg, Fasbender, Flynn, Forsgren, Glennen, Gunderson, Hageman, Hager, Halvorson, H. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lombardi, Lucas, Lund, Lynch, McKittrick, Mann, Marks, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Regan, Roberts, Rolfe, Schepens, Schye, Selstad, Shelden, Smith, Staigmilller, Stephens, Stoltz, Swanberg, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Mr. Speaker. Total 75.

Noes: Bennetts, Watt. Total 2.

Excused: Ainsworth, Brand, Brown, Burnett, Fleming, Galt, Greely, Haines, Hall, Holtz, Lockrem, Lundgren, Manuel, Marbut, Mercer, Quilici, Seifert, Tierney, Yardley, Zimmer. Total 20.

Absent or not voting: Colberg, Driscoll, R. Harper. Total 3.

Senate Bill No. 534 was concurred in by the following vote:

Ayes: Ageson, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Flynn, Forsgren, Glennen, Gunderson, Hageman, Hager, Halvorson, H. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lombardi, Lucas, Lund, Lynch, McKittrick, Mann, Marks, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Regan, Roberts, Rolfe, Schepens, Schye, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Mr. Speaker. Total 79.

Noes: None.

Excused: Ainsworth, Brand, Brown, Burnett, Fleming, Galt, Greely, Haines, Hall, Holtz, Lockrem, Lundgren, Manuel, Marbut, Mercer, Quilici, Seifert, Tierney, Yardley, Zimmer. Total 20.

Absent or not voting: R. Harper. Total 1.

Senate Bill No. 535 was concurred in by the following vote:

Ayes: Ageson, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Flynn, Forsgren, Glennen, Gunderson, Hageman, Hager, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lombardi, Lucas, Lund, Lynch, McKittrick, Mann, Marks, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Regan, Roberts, Rolfe, Schepens, Schye, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Mr. Speaker. Total 80.

Noes: None.

Excused: Ainsworth, Brand, Brown, Burnett, Fleming, Galt, Greely, Haines, Hall, Holtz, Lockrem, Lundgren, Manuel, Marbut, Mercer, Quilici, Seifert, Tierney, Yardley, Zimmer. Total 20.

Absent or not voting: None.

Senate Bill No. 540 was concurred in by the following vote:

Ayes: Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Campbell, Castles, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Flynn, Forsgren, Glennen, Gunderson, Hageman, Hager, Halvorson, H. Harper, R. Harper, Healy, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lombardi, Lucas, Lund, Lynch, McKittrick, Mann, Marks, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Regan, Roberts, Rolfe, Schepens, Schye, Selstad, Shelden, Staigmiller, Stephens, Stoltz, Swanberg, Towe, Turman, Turner, Ulmer, Warfield, Watt, Mr. Speaker. Total 75.

Noes: Ageson, Clemow, Hodges, Smith, Walborn. Total 5.

Excused: Ainsworth, Brand, Brown, Burnett, Fleming, Galt, Greely, Haines, Hall, Holtz, Lockrem, Lundgren, Manuel, Marbut, Mercer, Quilici, Seifert, Tierney, Yardley, Zimmer. Total 20.

Absent or not voting: None.

Senate Bill No. 566 was concurred in by the following vote:

Ayes: Ageson, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts,

Bradley, Campbell, Castles, Clemow, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Flynn, Forsgren, Glennen, Gunderson, Hageman, Hager, Halvorson, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lombardi, Lucas, Lund, Lynch, McKittrick, Mann, Marks, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Regan, Roberts, Rolfe, Schepens, Schye, Selstad, Shelden, Smith, Staigmilller, Stephens, Stoltz, Swanberg, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Mr. Speaker. Total 78.

Noes: Colberg. Total 1.

Excused: Ainsworth, Brand, Brown, Burnett, Fleming, Galt, Greely, Haines, Hall, Holtz, Lockrem, Lundgren, Manuel, Marbut, Mercer, Quilici, Seifert, Tierney, Yardley, Zimmer. Total 20.

Absent or not voting: H. Harper. Total 1.

Senate Bill No. 569 was concurred in by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Flynn, Forsgren, Glennen, Gunderson, Hageman, Hager, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lombardi, Lucas, Lund, Lynch, McKittrick, Mann, Marks, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Regan, Roberts, Rolfe, Schepens, Schye, Selstad, Shelden, Smith, Staigmilller, Stephens, Stoltz, Swanberg, Towe, Turman, Turner, Ulmer, Walborn, Watt, Mr. Speaker. Total 79.

Noes: None.

Excused: Ainsworth, Brand, Brown, Burnett, Fleming, Galt, Greely, Haines, Hall, Holtz, Lockrem, Lundgren, Manuel, Marbut, Mercer, Quilici, Seifert, Tierney, Yardley, Zimmer. Total 20.

Absent or not voting: Warfield. Total 1.

Senate Bill No. 584 was concurred in by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Campbell, Castles, Clemow, Colberg, Cotton, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Forsgren, Glennen, Gunderson, Hageman, Hager, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lombardi, Lund, Lynch, McKittrick, Mann, Mehrens, Menahan, Murphy, Norman, Prevost, Regan, Roberts, Rolfe, Schepens, Schye, Shelden, Staigmilller, Stephens, Stoltz, Swanberg, Towe, Turman, Turner, Walborn, Warfield, Watt, Mr. Speaker. Total 72.

Noes: Cox, Lucas, Marks, Selstad, Smith, Ulmer. Total 6.

Excused: Ainsworth, Brand, Brown, Burnett, Fleming, Galt, Greely, Haines, Hall, Holtz, Lockrem, Lundgren, Manuel, Marbut, Mercer, Quilici, Seifert, Tierney, Yardley, Zimmer. Total 20.

Absent or not voting: Flynn, Olson. Total 2.

Senate Bill No. 585 was concurred in by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Barrett, Baucus, Bell, Campbell, Castles, Clemow, Cotton, Cox, East, Fasbender, Forsgren, Glennen, Hageman, Hager, Halvorson, Healy, Hubing, Jacobsen, Jones, Kendall, Kessner, Kimble, Kolstad, Laas, Lee, Lien, Lombardi, Lund, Marks, Norman, Prevost, Regan, Roberts, Rolfe, Schepens, Schye, Selstad, Shelden, Staigmilller, Swanberg, Turner, Ulmer, Walborn, Mr. Speaker. Total 47.

Noes: Bardanouve, Bennetts, Bradley, Colberg, Driscoll, Edland, Ellerd, Fagg, Flynn, Gunderson, H. Harper, R. Harper, Hodges, Holmes, Huennekens, Kosena, Lucas, Lynch, McKittrick, Mann, Mehrens, Menahan, Murphy, Olson, Smith, Stephens, Stoltz, Towe, Turman, Warfield, Watt. Total 31.

Excused: Ainsworth, Brand, Brown, Burnett, Fleming, Galt, Greely, Haines, Hall, Holtz, Lockrem, Lundgren, Manuel, Marbut, Mercer, Quilici, Seifert, Tierney, Yardley, Zimmer. Total 20.

Absent or not voting: Johnston, Kvaalen. Total 2.

Senate Bill No. 590 was concurred in by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Flynn, Forsgren, Glennen, Gunderson, Hageman, Hager, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lombardi, Lucas, Lund, Lynch, McKittrick, Mann, Marks, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Regan, Roberts, Rolfe, Schepens, Schye, Selstad, Shelden, Staigmillier, Stephens, Stoltz, Swanberg, Towe, Turman, Turner, Ulmer, Warfield, Mr. Speaker. Total 77.

Noes: Smith, Walborn. Total 2.

Excused: Ainsworth, Brand, Brown, Burnett, Fleming, Galt, Greely, Haines, Hall, Holtz, Lockrem, Lundgren, Manuel, Marbut, Mercer, Quilici, Seifert, Tierney, Yardley, Zimmer. Total 20.

Absent or not voting: Watt. Total 1.

Senate Bill No. 605 was concurred in by the following vote:

Ayes: Asbjornson, Baeth, Bardanouve, Baucus, Bell, Bennetts, Bradley, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Flynn, Forsgren, Glennen, Gunderson, Hageman, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lombardi, Lucas, Lund, Lynch, McKittrick, Mann, Marks, Mehrens, Menahan, Murphy, Norman, Prevost, Regan, Roberts, Rolfe, Schepens, Schye, Selstad, Shelden, Staigmillier, Stephens, Stoltz, Swanberg, Towe, Turman, Turner, Ulmer, Walborn, Watt, Mr. Speaker. Total 74.

Noes: Aageson, Barrett, Hager, Olson, Smith. Total 5.

Excused: Ainsworth, Brand, Brown, Burnett, Fleming, Galt, Greely, Haines, Hall, Holtz, Lockrem, Lundgren, Manuel, Marbut, Mercer, Quilici, Seifert, Tierney, Yardley, Zimmer. Total 20.

Absent or not voting: Warfield. Total 1.

Senate Bill No. 606 was concurred in by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Flynn, Forsgren, Glennen, Gunderson, Hageman, Hager, Halvorson, H. Harper, R. Harper, Healy, Hodges, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kosena, Kvaalen, Laas, Lee, Lien, Lombardi, Lucas, Lund, Lynch, McKittrick, Mann, Marks, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Regan, Roberts, Rolfe, Schepens, Schye, Selstad, Shelden, Smith, Staigmillier, Stoltz, Swanberg, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Mr. Speaker. Total 77.

Noes: Holmes, Kolstad, Stephens. Total 3.

Excused: Ainsworth, Brand, Brown, Burnett, Fleming, Galt, Greely, Haines, Hall, Holtz, Lockrem, Lundgren, Manuel, Marbut, Mercer, Quilici, Seifert, Tierney, Yardley, Zimmer. Total 20.

Absent or not voting: None.

Senate Bill No. 653 was concurred in by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Baucus, Bell, Bradley, Campbell, Castles, Colberg, Cotton, East, Edland, Ellerd, Fasbender, Forsgren, Glennen, Gunderson, Hageman, Hager, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes,

Hubing, Huennekens, Jacobsen, Johnston, Kendall, Kimble, Kosena, Kvaalen, Laas, Lee, Lien, Lombardi, Lucas, Lund, Lynch, McKittrick, Mann, Marks, Mehrens, Menahan, Murphy, Norman, Regan, Roberts, Rolfe, Schepens, Schye, Shelden, Stoltz, Swanberg, Towe, Turman, Turner, Ulmer, Warfield, Watt, Mr. Speaker. Total 62.

Noes: Bardanouve, Bennetts, Clemow, Cox, Driscoll, Fagg, Flynn, Jones, Kessner, Kolstad, Prevost, Selstad, Smith, Staigmiller, Stephens, Walborn. Total 16.

Excused: Ainsworth, Brand, Brown, Burnett, Fleming, Galt, Greely, Haines, Hall, Holtz, Lockrem, Lundgren, Manuel, Marbut, Mercer, Quilici, Seifert, Tierney, Yardley, Zimmer. Total 20.

Absent or not voting: Barrett, Olson. Total 2.

Senate Bill No. 660 was concurred in by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Flynn, Forsgren, Glennen, Gunderson, Hageman, Hager, Halvorson, H. Harper, R. Harper, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lombardi, Lucas, Lund, Lynch, McKittrick, Mann, Marks, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Regan, Roberts, Rolfe, Schepens, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Mr. Speaker. Total 78.

Noes: None.

Excused: Ainsworth, Brand, Brown, Burnett, Fleming, Galt, Greely, Haines, Hall, Holtz, Lockrem, Lundgren, Manuel, Marbut, Mercer, Quilici, Seifert, Tierney, Yardley, Zimmer. Total 20.

Absent or not voting: Healy, Schye. Total 2.

Senate Bill No. 662 was concurred in by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Flynn, Forsgren, Glennen, Gunderson, Hageman, Hager, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lombardi, Lucas, Lund, Lynch, McKittrick, Mann, Marks, Mehrens, Menahan, Murphy, Norman, Prevost, Regan, Roberts, Rolfe, Schepens, Selstad, Shelden, Staigmiller, Stephens, Stoltz, Swanberg, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Mr. Speaker. Total 77.

Noes: None.

Excused: Ainsworth, Brand, Brown, Burnett, Fleming, Galt, Greely, Haines, Hall, Holtz, Lockrem, Lundgren, Manuel, Marbut, Mercer, Quilici, Seifert, Tierney, Yardley, Zimmer. Total 20.

Absent or not voting: Olson, Schye, Smith. Total 3.

The Joint Conference Committee Report on House Bill No. 654 was adopted by the following vote:

Ayes: Aageson, Baeth, Bardanouve, Baucus, Bennetts, Bradley, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, Fagg, Fasbender, Flynn, Forsgren, Glennen, Gunderson, Hageman, Hager, Halvorson, R. Harper, Healy, Hodges, Holmes, Huennekens, Jacobsen, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Laas, Lee, Lien, Lombardi, Lucas, Lund, Lynch, McKittrick, Mann, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Regan, Roberts, Rolfe, Schepens, Schye, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Towe, Turman, Turner, Ulmer, Watt, Mr. Speaker. Total 67.

Noes: Asbjornson, Bell, East, Hubing, Marks, Walborn. Total 6.

Excused: Ainsworth, Barrett, Brand, Brown, Burnett, Fleming, Galt, Greely

Haines, Hall, Holtz, Lockrem, Lundgren, Manuel, Marbut, Mercer, Quilici, Seifert, Tierney, Yardley, Zimmer. Total 21.

Absent or not voting: Edland, Ellerd, H. Harper, Johnston, Kvaalen, Warfield. Total 6.

Fasbender moved that the House adjourn until 1:30 p.m., Monday, February 25, 1974.

Motion carried.

House adjourned.

HAROLD E. GERKE, Speaker

EDWIN A. SMITH, Chief Clerk

FORTY-THIRD LEGISLATIVE DAY

Helena, Montana
February 25, 1974

House Chambers
Capitol Building

House convened at 1:30 p.m., Mr. Speaker in the Chair.

Invocation by the Chaplain.

Pledge of Allegiance to the Flag.

Roll call. All members present except Aageson, Burnett, Clemow, Flynn, Galt, Hall, Holtz, Kolstad, Lockrem, Marbut, Schye, Staigmiller, Swanberg and Zimmer, all excused.

Quorum present.

Mr. Speaker: We, your Committee on Bills and Journal, having examined the daily journal for the Forty-second Legislative Day, find the same to be correct.

QUILICI, Chairman

REPORTS OF STANDING COMMITTEES

February 25, 1974

The following bills were signed in the office of the Speaker of the House of Representatives on February 23, 1974: Senate Bill No. 575, Senate Bill No. 576, Senate Bill No. 667.

EDWIN A. SMITH, Chief Clerk
House of Representatives

February 23, 1974

Mr. Speaker: We, your Committee on Taxation, having had under consideration House Bill No. 212, respectfully report as follows: That House Bill No. 212 do not pass.

WATT, Chairman

February 23, 1974

Mr. Speaker: We, your Committee on Taxation, having had under consideration House Bill No. 829, respectfully report as follows: That House Bill No. 829 be amended on page 1, Section 1, line 18 after the word "tax" by striking the words: "with the annual percentage rate to be fixed by the state department of revenue at such flat percentage of the federal income tax as will produce annually one-half (½) of the total income tax revenues projected and appropriated by the preceding legislative assembly for the current biennium", and

Be further amended on page 4, Section 5, line 19 after the word and punctuation "tax —" by striking the words and punctuation: "department to set percentage rate —", and

Be further amended on page 5, Section 5, line 22 after the word "be" by striking the words: "determined by the department on or before November 15 of each year for taxable years beginning in the subsequent calendar year. A new determination may be made at any time" and inserting in lieu thereof the words, figures and punctuation: "27.5%. A different percentage may be fixed by the department at any time the legislature is not in session, and", and

Be further amended on page 6, Section 5, line 1 after the word "thereto" by striking the words: "and such determination" and inserting in lieu thereof the punctuation and words: ". This new percentage", and

Be further amended on page 6, Section 5, beginning on line 6 by striking the words and punctuation: "In determining the percentage, the department shall, with the assistance of the budget director, consider the probable net income taxable under the provisions of this act during the subsequent calendar year from all available information and shall make computations and projections necessary to make an accurate determination of the percentage needed to produce revenue that, when added to funds on hand from the general fund, common school equalization aid fund and long-range building program at the conclusion of the fiscal year just ending will provide funds equal to one-half ($\frac{1}{2}$) of the income tax revenues projected and appropriated by the preceding legislative assembly for the biennium in question.", and

Be further amended on page 7, Section 5, line 1 after the word and punctuation "thereto," by striking the word: "with" and inserting in lieu thereof the words: "provided the taxpayer may make" and

Be further amended on page 7, Section 5, Subsection (a), beginning on line 3 by striking the words: "There shall be subtracted" and inserting in lieu thereof the words: "Taxpayer may subtract", and

Be further amended on page 7, Section 5, Subsection (a)(i), line 7 after the word and punctuation "system," by striking the words: "to the extent the total for such amounts does not exceed three thousand six hundred dollars (\$3,600)" and inserting in lieu thereof the words, figures and punctuation: "to the extent said annuity, pension and endowment would be exempt under the individual income tax law of Montana in effect prior to the passage of this act, namely:

(1) all benefits received under the Federal Employees Retirement Act not in excess of three thousand six hundred dollars (\$3,600);

(2) all benefits paid under the Montana Teachers Retirement Act which are specified as exempt from taxation by section 75-2713;

(3) all benefits paid under the Montana Public Employees Act which are specified as exempt from taxation by section 68-1303;

(4) all benefits paid under the Montana Highway Patrol Retirement Act which are specified as exempt from taxation by section 31-221.", and

Be further amended on page 7, Section 5, line 10 after the word "thereof" by striking the punctuation "." and inserting in lieu thereof the punctuation and words: "; (iii) interest income from obligations of the United States government to the extent said income is exempt from state income tax under federal law;

(iv) interest received on obligations of any state, territory, or county, municipality, district, or other political subdivision thereof.", and

Be further amended on page 7, Section 5, line 15 after the word "there" by striking the word: "shall" and inserting in lieu thereof the word: "may", and

Be further amended on page 7, Section 5, line 21 after the word "there" by inserting the word: "then", and

Be further amended on page 7, Section 5, line 22 after the word "income" by inserting the punctuation: ",", and

Be further amended on page 8, Section 5, line 1 after the word and punctuation "nonresidents," by inserting the words: "if any modification is made pursuant to this section", and

Be further amended on page 8, Section 5, Subsection (c), after line 6 by inserting a new Subsection (d) as follows: "(d) If any modification of federal taxable income is made under the terms of this section, a new computation of federal income tax payable shall be made for the purposes of this act properly reflecting such modifications.", and

Be further amended on page 9, Section 7, beginning on line 1 by striking the words and figure: "(1) the determination of federal taxable income and adjusted federal taxable income;", and renumbering subsequent subsections accordingly, and

Be further amended on page 9, Section 7, line 3 after the word "tax" by striking the words: "and the balance of tax due or overpayment of tax" and inserting in lieu thereof the words: "due and payable", and

As amended, do pass.

WATT, Chairman

Report adopted.

MESSAGES FROM THE OTHER HOUSE

February 23, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read third time and concurred in, titles and history agreed to and the said bills are herewith returned to the House:

House Bill No. 213 introduced by Turman and R. Harper

House Bill No. 592 introduced by Marbut, Fasbender, et al

House Bill No. 625 introduced by Lee

House Bill No. 772 introduced by Gerke

House Bill No. 773 introduced by Gerke

House Bill No. 817 introduced by Lee (by request)

House Bill No. 858 introduced by Menahan and Kosena

House Bill No. 915 introduced by Kimble, Haines, et al

House Bill No. 925 introduced by Bennetts, Turner, et al

House Bill No. 989 introduced by Menahan, Kosena, et al

House Bill No. 1,008 introduced by Bardanouve

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

February 23, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day on Committee report, not concurred in, report adopted, and the said bills are herewith returned to the House:

House Bill No. 421 introduced by Tierney

House Bill No. 583 introduced by Kimble, Swanberg and Bell

House Bill No. 1,002 introduced by Castles, Bell and Halvorson

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

February 23, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read third time and concurred in as amended, titles and history agreed to and the said bills are herewith returned to the House for concurrence in Senate amendments:

House Bill No. 711 introduced by Roberts

House Bill No. 789 introduced by Tierney

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

February 23, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was this day on Committee report, not concurred in as amended, report adopted, and the said bill is herewith returned to the House:

House Bill No. 750 introduced by Schepens, Holmes, et al

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

February 23, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was on February 22, 1974, recommended by Committee of the Whole that further action be indefinitely postponed as amended, report adopted, and the said bill is herewith returned to the House:

House Bill No. 957 introduced by Gerke, Mehrens, et al

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

February 23, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Joint Resolution was on February 22, 1974, recommended by Committee of the Whole that further action be indefinitely postponed, report adopted, and the said resolution is herewith returned to the House:

House Joint Resolution No. 68 introduced by Menahan, Quilici, et al

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

February 23, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that House Amendments to Senate Bill No. 507 were this day concurred in by the Senate.

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

February 23, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day read three several times, and passed, titles and history agreed to, and the said bills are herewith transmitted to the House for concurrence:

Senate Bill No. 264 introduced by Gilfeather

Senate Bill No. 266 introduced by Gilfeather and Mathers

Senate Bill No. 682 introduced by McKeon

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

MOTIONS

Gunderson moved that Senate Bill No. 588 be taken from Second Reading and re-referred to the Committee on Education.

Motion carried.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following bills and resolution were introduced, read first time and referred to committees:

House Resolution No. 63, introduced by Cox, Lucas: A Resolution of the House of Representatives of the State of Montana declaring February 27, 1974, "Yellowstone County Taxpayers' Appreciation Day" and calling for appropriate recognition. Referred to Committee on State Administration.

Senate Bill No. 264, introduced by Gilfeather: A bill for an act entitled: "An act to amend Sections 84-301 and 84-302, R.C.M. 1947, to provide, with the exception on Class Eight, that the first seventeen thousand five hundred dollars (\$17,500) of value on a dwelling actually occupied by the owner or purchaser shall be taxed at twenty percent (20%)." Referred to Committee on Taxation.

Senate Bill No. 266, introduced by Gilfeather, Mathers: A bill for an act entitled: "An act to amend Sections 84-202 and 84-301, R.C.M. 1947, to exempt from taxation household goods and personal property used for personal or domestic purposes." Referred to Committee on Taxation.

Senate Bill No. 682, introduced by McKeon: A bill for an act entitled: "An act to amend Section 10-622, R.C.M. 1947, relating to the appointment and salaries of probation officers for the juvenile departments of district courts in the State of Montana; providing salary increases; and providing an effective date." Referred to Committee on Rules.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Fasbender moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading under the rules of the previous sitting.

Motion carried.

Jacobsen in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

February 25, 1974

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That Senate Bill No. 501 be concurred in. (82-0)

That Senate Bill No. 524 be concurred in. (49-29)

That Senate Bill No. 525 be passed for the day.

That Senate Bill No. 615 be placed below Senate Joint Resolution No. 65 on the board.

That Senate Bill No. 712 be amended in page 2, line 14, Section 1, Subsection (g) by striking all of line 14 and reinstating the following words: "(g) prohibit a student from registering until all his or her" (66-12), and

As amended, be not concurred in. (50-30)

That Senate Joint Resolution No. 54 be passed for the day.

That Senate Joint Resolution No. 58 be concurred in. (59-14)

That Senate Joint Resolution No. 61 be concurred in. (65-13)

That Senate Joint Resolution No. 65 be concurred in. (69-7)

That Senate Bill No. 615 be amended in the key line, page 1, line 4 of the engrossed bill, following the figures "75-6404" by inserting the punctuation and figures: ", 75-5912", and

Further amend the title, page 1, line 6 following the word "amend" by striking the word: "section" and inserting in lieu thereof the word: "sections", and

Further amend the title, page 1, line 7 following the figure "75-6406" by inserting the word and number: "and 75-5912", (71-3), and

Further amend page 1, following line 19 by adding the following new section:

"Section 2. Section 75-5912, R.C.M. 1947, is amended to read as follows:

'75-5912. Annual election. In each district an election of trustees shall be conducted annually on the regular school election day, the first Tuesday of April. Election of trustees shall comply with the election provisions of this title.", and

Further amend page 1, line 20 by renumbering the old Section 2 to be Section 3 (72-6), and

As amended, be concurred in. (59-19)

That Senate Amendments to House Bill No. 233 be concurred in. (71-3)

That Senate Amendments to House Bill No. 593 be concurred in. (72-0)

That Senate Amendments to House Bill No. 662 be concurred in. (72-1)

That Senate Amendments to House Bill No. 686 be concurred in. (75-2)

That Senate Amendments to House Bill No. 709 be not concurred in. (66-10)

That Senate Amendments to House Bill No. 725 be concurred in. (72-4)

That Senate Amendments to House Bill No. 870 be concurred in. (79-2)

That the committee rise and report.

As a substitute motion, Warfield moved that Senate Bill No. 712 be segregated from the Committee of the Whole report.

Motion carried.

As a substitute motion, Olson moved that Senate Amendments to House Bill No. 233 be segregated from the Committee of the Whole report.

Motion carried.

JACOBSEN, Chairman

Report adopted, as amended.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

Senate Bill No. 489 was concurred in by the following vote:

Ayes: Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Forsgren, Glennen, Greely, Gunderson, Hageman, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kosena, Kvaalen, Laas, Lee, Lien, Lombardi, Lucas, Lund, Lundgren, Lynch, Mann, Manuel, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Seifert, Selstad, Shelden, Smith, Stephens, Stoltz, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Watt, Mr. Speaker. Total 82.

Noes: Hager. Total 1.

Excused: Ageson, Burnett, Clemow, Flynn, Galt, Hall, Holtz, Kolstad, Lockrem, Marbut, Schye, Staigmillar, Swanberg, Zimmer. Total 14.

Absent or not voting: McKittrick, Warfield, Yardley. Total 3.

Senate Bill No. 668 was concurred in by the following vote:

Ayes: Ageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Brand, Brown, Campbell, Castles, Cotton, Cox, East, Edland, Ellerd, Fagg, Fleming, Forsgren, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, Healy, Hubing, Jacobsen, Johnston, Jones, Kendall, Kessner, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lombardi, Lucas, Lund, Lundgren, Lynch, Mann, Manuel, Marks, Mercer, Olson, Prevost, Quilici, Rolfe, Schepens, Seifert, Selstad, Smith, Stephens, Turner, Ulmer, Walborn, Yardley, Mr. Speaker. Total 63.

Noes: Bennetts, Bradley, Colberg, Driscoll, Fasbender, H. Harper, R. Harper, Hodges, Holmes, Huennekens, Kimble, Mehrens, Menahan, Murphy, Norman, Regan, Roberts, Shelden, Stoltz, Tierney, Towe, Turman, Watt. Total 23.

Paired: Ageson, Kolstad, Aye; Kimble, Mehrens, Nay.

Excused: Burnett, Clemow, Flynn, Galt, Hall, Holtz, Lockrem, Marbut, Schye, Staigmillar, Swanberg, Zimmer. Total 12.

Absent or not voting: McKittrick, Warfield. Total 2.

Senate Bill No. 704 was concurred in by the following vote:

Ayes: Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Forsgren, Glennen, Greely, Gunderson, Hageman, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kosena, Kvaalen, Laas, Lee, Lien, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Seifert, Selstad, Shelden, Smith, Stephens, Stoltz, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Watt, Yardley, Mr. Speaker. Total 84.

Noes: Hager. Total 1.

Excused: Ageson, Burnett, Clemow, Flynn, Galt, Hall, Holtz, Kolstad, Lockrem, Marbut, Schye, Staigmillar, Swanberg, Zimmer. Total 14.

Absent or not voting: Warfield. Total 1.

REPORTS OF STANDING COMMITTEES

February 25, 1974

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration Senate Bill No. 495, respectfully report as follows: That Senate Bill No. 495 be amended in the third reading on page 1, Section 1, line 13 after the word "insure" by inserting the following words: "specific listed items of", and

As amended, be concurred in.

MEHRENS, Chairman

Report adopted.

February 25, 1974

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration Senate Bill No. 560, respectfully report as follows: That Senate Bill No. 560 be concurred in.

MEHRENS, Chairman

Report adopted.

February 25, 1974

Mr. Speaker: We, your Committee on Local Government, having had under consideration Senate Bill No. 610, respectfully report as follows: That Senate Bill No. 610 be not concurred in.

KOSENA, Chairman

February 25, 1974

Mr. Speaker: We, your Committee on Local Government, having had under consideration Senate Bill No. 634, respectfully report as follows: That Senate Bill No. 634 be concurred in.

KOSENA, Chairman

Report adopted.

February 25, 1974

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration Senate Bill No. 710, respectfully report as follows: That Senate Bill No. 710 be amended in the third reading, on page 25, line 18 by omitting the material: "(7)" and inserting in lieu thereof the material: "(8)", and

As amended, be concurred in.

MEHRENS, Chairman

Report adopted.

MOTIONS

Fasbender moved that the Speaker be authorized to appoint a Conference Committee to meet with a like committee from the Senate on Senate Amendments to House Bill No. 709.

Motion carried.

Brand moved that Senate Bill No. 471 be taken from the Committee on State Administration and referred to the Committee on Judiciary.

Motion carried.

Yardley moved that Senate Bill No. 712 be taken from Second Reading and referred to the Committee on Judiciary.

Motion carried.

Fasbender moved that the House adjourn until 1:30 p.m., February 26, 1974.

Motion carried.

House adjourned.

HAROLD E. GERKE, Speaker

EDWIN A. SMITH, Chief Clerk

FORTY-FOURTH LEGISLATIVE DAY

Helena, Montana
February 26, 1974

House Chambers
Capitol Building

House convened at 1:30 p.m., Mr. Speaker in the Chair.

Invocation by Shannon Weatherly, Legislative Aide.

Pledge of Allegiance to the Flag.

Roll call. All members present except Burnett, Cox, Hall, Holtz, Marbut, Warfield and Zimmer, all excused.

Quorum present.

Mr. Speaker: We, your Committee on Bills and Journal, having examined the daily journal for the Forty-third Legislative Day, find the same to be correct.

QUILICI, Chairman

COMMUNICATIONS AND PETITIONS

Towe moved that the House allow the Montana Committee for the Humanities to film and tape proceedings of the House while in session this week.

As a substitute motion, Lockrem moved that the request be referred to the Rules Committee.

The substitute motion failed. Original motion passed.

REPORTS OF STANDING COMMITTEES

February 25, 1974

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration House Resolution No. 56, respectfully report as follows: That House Resolution No. 56 do pass.

LOMBARDI, Chairman

Report adopted.

February 25, 1974

Mr. Speaker: We, your Committee on Agriculture, Livestock and Irrigation, having had under consideration House Resolution No. 61, respectfully report as follows: That House Resolution No. 61 be adopted.

FLEMING, Chairman

Report adopted.

February 25, 1974

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration Senate Bill No. 347, respectfully report as follows: That Senate Bill No. 347 be not concurred in.

LOMBARDI, Chairman

February 26, 1974

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration Senate Bill No. 479, respectfully report as follows: That Senate Bill No. 479 be amended on page 1, Section 1, Subsection (2), line 22 of the third reading bill after the word "shall" by inserting the material: "be equipped at all times with noise suppression devices, including an exhaust muffler, in good working order, and in constant operation. In addition, all motorcycles operating on streets and highways shall", and

As amended, be concurred in.

LEE, Chairman

Report adopted.

February 26, 1974

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration Senate Bill No. 499, respectfully report as follows: That Senate Bill No. 499 be concurred in.

LEE, Chairman

Report adopted.

February 25, 1974

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration Senate Bill No. 609, respectfully report as follows: That Senate Bill No. 609 be concurred in.

LOMBARDI, Chairman

Report adopted.

February 26, 1974

Mr. Speaker: We, your Committee on Education, having had under consideration Senate Bill No. 732, respectfully report as follows: That Corrected Third Reading Senate Bill No. 732 be amended in Section 1 on page 1, line 23 after the word "town," by striking the word: "to", and

Be further amended in Section 1 on page 2, line 3 after the word "bodies" by striking the following material: "pay as part of the officers and employees salary", and inserting in lieu thereof the following material: "shall pay for such insurance", and

As amended, be concurred in.

GUNDERSON, Chairman

Report adopted.

February 25, 1974

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration Senate Joint Resolution No. 49, respectfully report as follows: That Senate Joint Resolution No. 49 be not concurred in.

LOMBARDI, Chairman

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 212 was adopted by the following vote:

Ayes: Ageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Driscoll, Edland, Ellerd, Fleming, Forsgren, Galt, Glennen, Gunderson, Hageman, Haines, Halvorson, R. Harper, Healy, Hodges, Holmes, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, Mann,

Manuel, Marks, Mehrens, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Schepens, Seifert, Selstad, Shelden, Staigmiller, Stephens, Stoltz, Swanberg, Towe, Turman, Turner, Ulmer, Watt, Mr. Speaker. Total 76.

Noes: Greely, Hager, Roberts, Smith, Tierney, Walborn, Yardley. Total 7.

Excused: Burnett, Cox, Hall, Holtz, Marbut, Warfield, Zimmer. Total 7.

Absent or not voting: East, Fagg, Fasbender, Flynn, H. Harper, Hubing, McKittrick, Menahan, Rolfe, Schye. Total 10.

In accordance with the 24 hour rule, the adverse committee report on Senate Bill No. 610 was adopted by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Driscoll, East, Edland, Ellerd, Fleming, Forsgren, Glennen, Greely, Gunderson, Hageman, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, Manuel, Marks, Mehrens, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Watt, Yardley, Mr. Speaker. Total 83.

Noes: Hager. Total 1.

Excused: Burnett, Cox, Hall, Holtz, Marbut, Warfield, Zimmer. Total 7.

Absent or not voting: Fagg, Fasbender, Flynn, Galt, Hubing, McKittrick, Mann, Menahan, Rolfe. Total 9.

MESSAGE FROM THE GOVERNOR

February 25, 1974

Honorable Harold Gerke
Speaker of the House of Representatives
Capitol
Helena, Montana

Dear Mr. Speaker:

I have the honor to inform you that I have this day approved the following measures:

House Bills Nos.: 663, 804 and 812.

Sincerely,

THOMAS L. JUDGE
Governor

cc: Honorable Gordon McOmber

MESSAGES FROM THE OTHER HOUSE

February 25, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read three times, and concurred in as amended, titles and history agreed to and the said bills are herewith returned to the House for concurrence in Senate amendments:

House Bill No. 788 introduced by Regan, Gerke, et al

House Bill No. 813 introduced by Glennen, Lien, et al

House Bill No. 852 introduced by Jacobsen and Edland

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

February 25, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was this day on Committee Report, not concurred in, report adopted, and the said bill is herewith returned to the House:

House Bill No. 1095 introduced by Baucus, Turman and Lynch

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

February 25, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Joint Conference Committee Report on House Bill No. 654 was this day adopted on third reading, roll call vote, and the committee has been dissolved.

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

February 25, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was this day read third time, and concurred in, title and history agreed to and the said bill is herewith returned to the House:

House Bill No. 946 introduced by Bardanouve

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

MOTIONS

Hager moved that Senate Bill No. 524 be taken from Third Reading and placed back on Second Reading.

Motion carried.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following resolution was introduced, read first time, and referred to committee:

House Resolution No. 64, introduced by Watt, Ulmer: A Resolution of the House of Representatives of the State of Montana requesting the Committee on Priorities to assign the appropriate standing committees to study the taxation of moneys and solvent credits. Referred to Committee on Taxation.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Fasbender moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading under the rules of the previous sitting.

Motion carried.

Glennen in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

February 26, 1974

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That Senate Bill No. 495 be placed below Senate Bill No. 560 on the board.

That Senate Bill No. 525 be passed for the day.

That Senate Bill No. 560 be concurred in. (75-0)

That Senate Bill No. 495 be concurred in. (81-4)

That Senate Bill No. 634 be concurred in. (78-0)

That Senate Bill No. 710 be passed for the day.

That Senate Joint Resolution No. 54 be concurred in. (67-4)

That Senate Bill No. 524 be amended in Section 1, page 1, line 12 of the third reading bill by inserting after the word "corporation" the following new material: "other than a hatchery, feed store, or breeder of fowl or rabbits" (74-2), and

As amended, be concurred in. (77-5)

That Senate Amendments to House Bill No. 233 be not concurred in. (86-0)

That Senate Amendments to House Bill No. 711 be concurred in. (80-2)

That Senate Amendments to House Bill No. 789 be not concurred in. (77-7)

That the committee rise and report.

GLENNEN, Chairman

Report adopted.

THIRD READING OF BILLS

The following bills and resolutions having been read three several times, title and history agreed to, were disposed of in the following manner:

Senate Bill No. 501 was concurred in by the following vote:

Ayes: Ainsworth, Asbjornson, Baeth, Bardanouve, Baucus, Bell, Bradley, Brand, Brown, Campbell, Castles, Cotton, East, Ellerd, Fagg, Fasbender, Fleming, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Watt, Yardley, Mr. Speaker. Total 82.

Noes: None.

Excused: Burnett, Cox, Hall, Holtz, Marbut, Warfield, Zimmer. Total 7.

Absent or not voting: Aageson, Barrett, Bennetts, Clemow, Colberg, Driscoll, Edland, Flynn, Forsgren, Hubing, Kvaalen. Total 11.

Senate Bill No. 615 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Baeth, Bardanouve, Baucus, Bell, Bradley, Brand, Brown, Campbell, Castles, Clemow, Cotton, East, Ellerd, Fagg, Fasbender, Fleming, Forsgren, Galt, Glennen, Greely, Gunderson, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Hubing, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lockrem, Lombardi, Lucas,

Lundgren, McKittrick, Mann, Marks, Mehrens, Mercer, Murphy, Norman, Olson, Quilici, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Turman, Turner, Ulmer, Walborn, Watt, Yardley, Mr. Speaker. Total 74.

Noes: Asbjornson, Barrett, Edland, Hageman, Holmes, Jacobsen, Lien, Lund, Lynch, Manuel, Menahan, Prevost, Regan, Towe. Total 14.

Excused: Burnett, Cox, Hall, Holtz, Marbut, Warfield, Zimmer. Total 7.

Absent or not voting: Bennetts, Colberg, Driscoll, Flynn, Huennekens. Total 5.

Senate Joint Resolution No. 58 was concurred in by the following vote:

Ayes: Ageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Baucus, Bell, Bradley, Brand, Brown, Campbell, Castles, Clemow, Cotton, East, Ellerd, Fagg, Fasbender, Fleming, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Watt, Yardley, Mr. Speaker. Total 84.

Noes: Barrett, Edland. Total 2.

Excused: Burnett, Cox, Hall, Holtz, Marbut, Warfield, Zimmer. Total 7.

Absent or not voting: Bennetts, Colberg, Driscoll, Flynn, Kosena, Olson, Smith. Total 7.

Senate Joint Resolution No. 61 was concurred in by the following vote:

Ayes: Ageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Cotton, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Watt, Yardley, Mr. Speaker. Total 87.

Noes: Holmes, Kessner, Selstad. Total 3.

Excused: Burnett, Cox, Hall, Holtz, Marbut, Warfield, Zimmer. Total 7.

Absent or not voting: Colberg, Driscoll, Flynn. Total 3.

Senate Joint Resolution No. 65 was concurred in by the following vote:

Ayes: Ageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Cotton, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Schepens, Schye, Seifert, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Watt, Yardley, Mr. Speaker. Total 88.

Noes: Rolfe, Selstad. Total 2.

Excused: Burnett, Cox, Hall, Holtz, Marbut, Warfield, Zimmer. Total 7.

Absent or not voting: Colberg, Driscoll, Flynn. Total 3.

Senate Amendments to House Bill No. 593 were concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Cotton, Driscoll, East, Edland, Ellerd, Fagg, Fleming, Forsgren, Galt, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Smith, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Watt, Yardley, Mr. Speaker. Total 88.

Noes: None.

Excused: Burnett, Cox, Hall, Holtz, Marbut, Warfield, Zimmer. Total 7.

Absent or not voting: Colberg, Fasbender, Flynn, Glennen, Shelden. Total 5.

Senate Amendments to House Bill No. 662 were concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Brown, Campbell, Castles, Clemow, Cotton, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, McKittrick, Mann, Manuel, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Watt, Mr. Speaker. Total 82.

Noes: None.

Excused: Burnett, Cox, Hall, Holtz, Marbut, Warfield, Zimmer. Total 7.

Absent or not voting: Bradley, Brand, Colberg, Flynn, Forsgren, Hubing, Laas, Lynch, Marks, Smith, Yardley. Total 11.

Senate Amendments to House Bill No. 686 were concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brown, Campbell, Castles, Clemow, Cotton, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lundgren, Lynch, McKittrick, Mann, Manuel, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Watt, Yardley, Mr. Speaker. Total 88.

Noes: Brand. Total 1.

Excused: Burnett, Cox, Hall, Holtz, Marbut, Warfield, Zimmer. Total 7.

Absent or not voting: Colberg, Flynn, Halvorson, Lund. Total 4.

Senate Amendments to House Bill No. 725 were concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Cotton, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lombardi, Lund, Lundgren,

Lynch, McKittrick, Mann, Manuel, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Towe, Turman, Turner, Walborn, Watt, Yardley, Mr. Speaker. Total 84.

Noes: Bell, Lucas, Selstad, Tierney, Ulmer. Total 5.

Excused: Burnett, Cox, Hall, Holtz, Marbut, Warfield, Zimmer. Total 7.

Absent or not voting: Colberg, Flynn, Hubing, Lockrem. Total 4.

Senate Amendments to House Bill No. 870 were concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Cotton, Driscoll, East, Fagg, Fleming, Forsgren, Galt, Glennen, Greely, Hageman, Hager, Haines, Halvorson, H. Harper, Healy, Hodges, Huennekens, Jacobsen, Johnston, Kendall, Kessner, Kimble, Kolstad, Kosen, Kvaalen, Laas, Lee, Lombardi, Lucas, Lund, Lundgren, McKittrick, Mann, Manuel, Marks, Mehrens, Menahan, Mercer, Murphy, Olson, Prevost, Quilici, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Staigmiller, Stephens, Swanberg, Tierney, Towe, Turman, Turner, Walborn, Watt, Mr. Speaker. Total 73.

Noes: Clemow, Edland, Gunderson, R. Harper, Jones, Lien, Lockrem, Lynch, Regan, Stoltz, Ulmer, Yardley. Total 12.

Excused: Burnett, Cox, Hall, Holtz, Marbut, Warfield, Zimmer. Total 7.

Absent or not voting: Colberg, Ellerd, Fasbender, Flynn, Holmes, Hubing, Norman, Smith. Total 8.

REPORTS OF STANDING COMMITTEES

February 26, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following resolution correctly enrolled: House Resolution No. 50.

QUILICI, Chairman

February 25, 1974

I have examined House Resolution No. 50 introduced by me and find the same to be correct.

EAST

February 26, 1974

The following bills and resolutions will be signed on adjournment on February 26, 1974, in the office of the Speaker of the House of Representatives: House Resolution No. 50.

EDWIN A. SMITH, Chief Clerk
House of Representatives

February 26, 1974

Mr. Speaker: We, your Committee on State Administration, having had under consideration Senate Bill No. 240, respectfully report as follows: That Senate Bill No. 240 be amended on page 2 of the third reading, after the material on line 2, by adding a new Subsection (2) to read as follows: "(2) 'Accumulated contributions' — the total amount deducted from the salary of a member either during a period of membership service or as transferred from the public employees' retirement system with respect to a period of prior service and standing to his credit in the account together with the accrued interest.", and

Be further amended on pages 2 and 3 to renumber the subsequent subsections to conform numerically, and

Be further amended on page 12, line 19 after the word "annuities" by omitting the word "except" and inserting in lieu thereof the word "exempt", and

Be further amended on page 15, Section 25, after the word "Act" on line 4 and continuing through the word "death" on line 5 by omitting all the material contained therein, and

Be further amended on page 15, Section 25, after the word "except" on line 5 and continuing through the word "member" on line 6, by omitting all the material contained therein and inserting in lieu thereof the following material: "as provided in section 18 of this act", and

Be further amended on page 15, Section 25, line 7 after the word "benefits" by omitting the word "not" and inserting in lieu thereof the word "now", and

As amended, be concurred in.

BRAND, Chairman

Report adopted.

February 26, 1974

Mr. Speaker: We, your Committee on State Administration, having had under consideration Senate Bill No. 521, respectfully report as follows: That Senate Bill No. 521 be concurred in.

BRAND, Chairman

Report adopted.

February 26, 1974

Mr. Speaker: We, your Committee on Natural Resources, having had under consideration Senate Bill No. 549, respectfully report as follows: That Senate Bill No. 549 be amended in the Senate Third Reading Bill as follows:

Amend on page 3, Section 1, line 20 following the word, number and punctuation "Section 1." by inserting the following: "There is a new section 89-891.1, R.C.M. 1947, which reads as follows: 89-891.1.", and

Be further amended on page 3, Section 1, line 25 by omitting the word "A", and

As amended, be concurred in.

SHELDEN, Chairman

Report adopted.

February 26, 1974

Mr. Speaker: We, your Committee on State Administration, having had under consideration Senate Bill No. 591, respectfully report as follows: That Senate Bill No. 591 be concurred in.

BRAND, Chairman

Report adopted.

February 26, 1974

Mr. Speaker: We, your Committee on State Administration, having had under consideration Senate Bill No. 604, respectfully report as follows: That Senate Bill No. 604 be amended on page 2 of the third reading, after the material on line 9 by adding a new Subsection (3) to read as follows: "(3) The board shall promulgate regulations implementing this act, including the right to a hearing for individuals against whom action is taken or proposed herein.", and

As amended, be concurred in.

BRAND, Chairman

Report adopted.

February 26, 1974

Mr. Speaker: We, your Committee on State Administration, having had under

consideration Senate Bill No. 640, respectfully report as follows: That Senate Bill No. 640 be concurred in.

BRAND, Chairman

Report adopted.

February 26, 1974

Mr. Speaker: We, your Committee on Natural Resources, having had under consideration Senate Bill No. 654, respectfully report as follows: That Senate Bill No. 654 be concurred in.

SHELDEN, Chairman

Report adopted.

February 26, 1974

Mr. Speaker: We, your Committee on Natural Resources, having had under consideration Senate Bill No. 709, respectfully report as follows: That Senate Bill No. 709 be concurred in.

SHELDEN, Chairman

Report adopted.

February 26, 1974

Mr. Speaker: We, your Committee on Natural Resources, having had under consideration Senate Bill No. 728, respectfully report as follows: That Senate Bill No. 728 be concurred in.

SHELDEN, Chairman

Report adopted.

February 26, 1974

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Resolution No. 57, respectfully report as follows: That House Resolution No. 57 be adopted.

BRAND, Chairman

Report adopted.

MOTIONS

Fasbender moved that the Speaker be authorized to appoint a Free Conference Committee to meet with a like committee from the Senate on Senate Amendments to House Bill No. 233.

Motion carried.

Fasbender moved that the Speaker be authorized to appoint a Conference Committee to meet with a like committee from the Senate on Senate Amendments to House Bill No. 789.

Motion carried.

UNFINISHED BUSINESS

The Speaker appointed the following Conference Committee to meet with a like committee from the Senate on Senate Amendments to House Bill No. 709: Bradley, Chairman; Stoltz and Bell.

Fasbender moved that the House adjourn until 1:30 p.m., February 27, 1974.

Motion carried.

House adjourned.

HAROLD E. GERKE, Speaker

EDWIN A. SMITH, Chief Clerk

FORTY-FIFTH LEGISLATIVE DAY

Helena, Montana
February 27, 1974

House Chambers
Capitol Building

House convened at 1:30 p.m., Mr. Speaker in the Chair.

Invocation by the Chaplain.

Pledge of Allegiance to the Flag.

Roll call. All members present except Cox, Hall, Holtz, Marbut, Mercer, Warfield and Zimmer, all excused.

Quorum present.

Mr. Speaker: We, your Committee on Bills and Journal, having examined the daily journal for the Forty-fifth Legislative Day, find the same to be correct.

QUILICI, Chairman

COMMUNICATIONS AND PETITIONS

Mr. Robert Rosenheim, Chairman of the Intermountain Plains Federal Regional Council of Denver, addressed the House briefly.

Mr. William Kollar from Montana State University delivered a short speech as it is "Bill Kollar Day" in Helena.

REPORTS OF STANDING COMMITTEES

February 26, 1974
reported February 27, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following resolutions correctly printed: House Resolution No. 56, House Resolution No. 57, House Resolution No. 61.

QUILICI, Chairman

February 27, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill correctly printed: House Bill No. 829.

QUILICI, Chairman

February 27, 1974

The following resolution was signed in the office of the Speaker of the House of Representatives on February 26, 1974: House Resolution No. 50.

EDWIN A. SMITH, Chief Clerk
House of Representatives

February 27, 1974

Mr. Speaker: We, your Committee on Finance and Claims, having had under consideration House Bill No. 497, respectfully report as follows: That House Bill No. 497 do not pass.

BARDANOUE, Chairman

February 27, 1974

Mr. Speaker: We, your Committee on Finance and Claims, having had under consideration House Bill No. 704, respectfully report as follows: That House Bill No. 704 do not pass.

BARDANOUE, Chairman

February 27, 1974

Mr. Speaker: We, your Committee on Finance and Claims, having had under consideration House Bill No. 729, respectfully report as follows: That House Bill No. 729 do not pass.

BARDANOUVE, Chairman

February 27, 1974

Mr. Speaker: We, your Committee on Finance and Claims, having had under consideration House Bill No. 832, respectfully report as follows: That House Bill No. 832 do not pass.

BARDANOUVE, Chairman

February 27, 1974

Mr. Speaker: We, your Committee on Finance and Claims, having had under consideration House Bill No. 1109, respectfully report as follows: That House Bill No. 1109 do not pass.

BARDANOUVE, Chairman

February 27, 1974

Mr. Speaker: We, your Committee on Finance and Claims, having had under consideration House Bill No. 1117, respectfully report as follows: That House Bill No. 1117 do pass.

BARDANOUVE, Chairman

Report adopted.

February 27, 1974

Mr. Speaker: We, your Committee on Finance and Claims, having had under consideration House Bill No. 1119, respectfully report as follows: That House Bill No. 1119 do pass.

BARDANOUVE, Chairman

Report adopted.

February 27, 1974

Mr. Speaker: We, your Committee on Finance and Claims, having had under consideration House Bill No. 668, respectfully report as follows: That House Bill No. 668 do not pass.

BARDANOUVE, Chairman

February 27, 1974

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Resolution No. 58, respectfully report as follows: That House Resolution No. 58 be adopted.

MEHRENS, Chairman

Report adopted.

February 26, 1974

Mr. Speaker: We, your Committee on Highways and Transportation, having had under consideration Senate Bill No. 546, respectfully report as follows: That Senate Bill No. 546 be concurred in.

LAAS, Chairman

Report adopted.

February 26, 1974

Mr. Speaker: We, your Committee on Highways and Transportation, having had under consideration Senate Bill No. 563, respectfully report as follows: That Senate Bill No. 563 be concurred in.

LAAS, Chairman

Report adopted.

February 26, 1974

Mr. Speaker: We, your Committee on Highways and Transportation, having had under consideration Senate Bill No. 581, respectfully report as follows: That Senate Bill No. 581 be concurred in.

LAAS, Chairman

Report adopted.

February 27, 1974

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration Senate Bill No. 691, respectfully report as follows: That Senate Bill No. 691 be concurred in.

MEHRENS, Chairman

Report adopted.

February 26, 1974

Mr. Speaker: We, your Committee on Highways and Transportation, having had under consideration Senate Bill No. 698, respectfully report as follows: That Senate Bill No. 698 be concurred in.

LAAS, Chairman

Report adopted.

February 27, 1974

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration Senate Joint Resolution No. 66, respectfully report as follows: That Senate Joint Resolution No. 66 be concurred in.

MEHRENS, Chairman

Report adopted.

In accordance with the 24 hour rule, the adverse committee report on Senate Bill No. 347 was adopted by the following vote:

Ayes: Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Bennetts, Bradley, Brand, Burnett, Campbell, Castles, Clemow, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Glennen, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Jacobsen, Johnston, Jones, Kendall, Kessner, Kolstad, Kosena, Lee, Lombardi, Lucas, Lund, Lynch, Mann, Manuel, Marks, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Quilici, Regan, Rolfe, Schepens, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Turman, Turner, Walborn, Watt, Yardley, Mr. Speaker. Total 71.

Noes: Aageson, Bell, Brown, Swanberg, Tierney, Ulmer. Total 6.

Excused: Cox, Hall, Holtz, Marbut, Mercer, Warfield, Zimmer. Total 7.

Absent or not voting: Baucus, Colberg, Cotton, Galt, Greely, Huennekens, Kimble, Kvaalen, Laas, Lien, Lockrem, Lundgren, McKittrick, Roberts, Schye, Towe. Total 16.

Objection raised by Burnett on adverse committee report on Senate Joint Resolution No. 49. Referred to Second Reading.

MESSAGE FROM THE GOVERNOR

February 26, 1974

Honorable Harold Gerke
Speaker of the House of Representatives
Capitol
Helena, Montana

Dear Mr. Speaker:

I have the honor to inform you that I have this day approved the following measures:

House Bills Nos.: 298, 770, 771, 787, 842 and 855.

Sincerely,

THOMAS L. JUDGE
Governor

cc: Honorable Gordon McOmber

MESSAGES FROM THE OTHER HOUSE

February 26, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day failed to concur in House amendments to Senate Bill No. 660 and the President was authorized to appoint a Free Conference Committee to meet with a like committee from the House to confer on Senate Bill No. 660.

The President appointed the following members:

Senator Gilfeather, Chairman
Senator Mathers
Senator Boylan

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

February 26, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day authorized the President to appoint a Conference Committee to meet with a like committee from the House to confer on Senate amendments to House Bill No. 709.

The President appointed the following members:

Senator Romney, Chairman
Senator Northey
Senator Zody

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

February 26, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day failed to concur in House amendments to Senate Bill No. 508 and the President

was authorized to appoint a Conference Committee to meet with a like committee from the House to confer on House amendments to Senate Bill No. 508.

The President appointed the following members:

Senator Sorensen, Chairman
 Senator Lowe
 Senator James

Respectfully yours,

JOHN N. HANSON
 Secretary of the Senate

February 26, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day failed to concur in House amendments to Senate Bill No. 662 and the President was authorized to appoint a Free Conference Committee to meet with a like committee from the House to confer on Senate Bill No. 662.

The President appointed the following members:

Senator Gilfeather, Chairman
 Senator Mathers
 Senator Boylan

Respectfully yours,

JOHN N. HANSON
 Secretary of the Senate

February 26, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills and House Joint Resolution were this day read third time and concurred in, titles and history agreed to and the said bills and resolution are herewith returned to the House:

House Bill No. 577 introduced by Fasbender

House Bill No. 587 introduced by Hodges

House Bill No. 827 introduced by Towe and Marbut

House Bill No. 828 introduced by Towe and Marbut

House Bill No. 988 introduced by Menahan, Mehrens, et al

House Joint Resolution No. 52 introduced by Tierney, Bennetts, et al

Respectfully yours,

JOHN N. HANSON
 Secretary of the Senate

February 26, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day on Committee report, not concurred in, report adopted, and the said bills are herewith returned to the House:

House Bill No. 424 introduced by Shelden

House Bill No. 612 introduced by R. Harper, Hall, et al

House Bill No. 677 introduced by R. Harper, McKittrick, and Towe

House Bill No. 884 introduced by Bradley and Kosena

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

February 26, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills and House Joint Resolution were this day read three times and concurred in as amended, titles and history agreed to and the said bills and resolution are herewith returned to the House for concurrence in Senate amendments:

House Bill No. 734 introduced by Schye, Walborn and Cotton

House Bill No. 843 introduced by Kimble (by request)

House Bill No. 846 introduced by Laas, Bardanouve, et al

House Bill No. 947 introduced by Fagg

House Joint Resolution No. 56 introduced by Warfield, Kolstad, et al

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

February 26, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was on February 25, 1974, recommended by Committee of the Whole that further action be indefinitely postponed, report adopted, and the said bill is herewith returned to the House:

House Bill No. 883 introduced by Towe, Burnett and Turman

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

February 26, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bill was this day read three several times, and passed, title and history agreed to, and the said bill is herewith transmitted to the House for concurrence:

Senate Bill No. 493 introduced by James

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

February 26, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day failed to concur in House amendments to Senate Bill No. 661 and the President was authorized to appoint a Free Conference Committee to meet with a like committee from the House to confer on Senate Bill No. 661.

The President appointed the following members:

Senator Gilfeather, Chairman
 Senator Mathers
 Senator Boylan

Respectfully yours,

JOHN N. HANSON
 Secretary of the Senate

MOTIONS

Fasbender moved that the Speaker be authorized to appoint a Free Conference Committee to meet with a like committee from the Senate on House Amendments to Senate Bills Nos. 660, 661 and 662.

Motion carried.

The Speaker appointed the following: Gunderson, Chairman; Stoltz and Warfield.

Fasbender moved that the Speaker be authorized to appoint a Conference Committee to meet with a like committee from the Senate on House Amendments to Senate Bill No. 508.

Motion carried.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following bill was introduced, read first time and referred to committee:

Senate Bill No. 493, introduced by James: A bill for an act entitled: "An act to appropriate to the Legislative Council the sum of twenty-five thousand dollars (\$25,000), in order to obtain actuarial valuation of the police officers', firemen's, game wardens', highway patrolmen's and sheriffs' retirement program; and providing an effective date." Referred to Committee on Finance and Claims.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Fasbender moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading under the rules of the previous sitting.

Motion carried.

Lee in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

February 27, 1974

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That House Resolution No. 56 be adopted. (48-33)

That House Resolution No. 57 be adopted. (80-0)

That House Resolution No. 61 be adopted. (76-1)

That Senate Bill No. 240 be passed to the bottom of the board.

That Senate Bill No. 479 be concurred in. (73-0)

That Senate Bill No. 499 be concurred in. (73-0)

That Senate Bill No. 521 be concurred in. (61-6)

That Senate Bill No. 525 be amended as follows:

Amend the Third Reading bill in Section 1, page 2, line 4 by striking the word "placing" and inserting in lieu thereof the word "concealing", and

Be further amended in Section 1, page 2, line 11 by striking the word "probably", and

Be further amended in Section 3, Subsection (3), page 3, line 10 by striking the words and punctuation ", before making an arrest," and

Be further amended in Section 3, Subsection (a), page 3, line 13 by striking the words "not an arrest but a temporary detention", and

Be further amended in Section 3, Subsection (a), page 3, line 13 after the word "for", by striking the word "an", and

Be further amended in Section 3, Subsection (a), page 3, line 14 after the word "investigation", by inserting the words "of shop lifting", and

Be further amended in Section 3, Subsection (a), page 3, line 15, by striking the word "arrested" and inserting in lieu thereof the words "turned over to the custody of a peace officer," and

Be further amended in Section 3, Subsection (d), page 4, line 4, after the word "time." by inserting the words: "Unless evidence of concealment is obvious and apparent to the merchant this section shall not authorize a search of the detained person other than a search of his coat or other outer garments and any package, brief case or other container unless the search is done by a peace officer under proper legal authority.", and

Be further amended in Section 3, Subsection (d), page 4, line 7 after the word "arrested" by inserting the words "and turned over to the custody of a police officer.", and

Be further amended in Section 3, Subsection (4), page 4, lines 9 and 10 after the word "merchandise," by striking the following words: "and whether or not the person is subsequently arrested," and

Be further amended in Section 3, Subsection (4), page 4, line 11 after the word "an" by inserting the word "unlawful" (78-0), and

Further amend Section 2, page 2, line 17 of the third reading bill by deleting the punctuation "," and inserting in lieu thereof the following punctuation: ".", and

Further amend Section 2, page 2, lines 18 through 21 by deleting all of the underlined material therein (44-37), and

Further amend Section 3, page 4, line 15 by striking the punctuation "." and by adding the words and punctuation "or contrary to the provisions of this law.", (73-5), and

As amended, be concurred in. (72-10)

That Senate Bill No. 549 be concurred in. (69-0)

That Senate Bill No. 591 be concurred in. (60-7)

That Senate Bill No. 604 be concurred in. (73-0)

That Senate Bill No. 609 be concurred in. (79-0)

That Senate Bill No. 640 be concurred in. (79-0)

That Senate Bill No. 654 be passed for the day.

That Senate Bill No. 709 be concurred in. (73-2)

That Senate Bill No. 710 be amended in Section 7, page 4, line 23 of the third reading bill by striking the punctuation and words ", at least three (3) of which shall be representatives selected by domestic insurers." (66-1), and

As amended, be concurred in. (72-1)

That Senate Bill No. 728 be concurred in. (76-4)

That Senate Bill No. 732 be concurred in. (83-0)

That Senate Amendments to House Bill No. 788 be concurred in. (77-0)

That Senate Amendments to House Bill No. 813 be concurred in. (75-0)

That Senate Amendments to House Bill No. 852 be concurred in. (77-0)

That Senate Bill No. 240 be concurred in. (80-0)

That the committee rise and report.

LEE, Chairman

As a substitute motion, Lombardi moved that House Resolution No. 56 be segregated from the Committee of the Whole report and, as amended, the report be adopted.

Motion carried.

THIRD READING OF BILLS

The following bills and resolution having been read three several times, title and history agreed to, were disposed of in the following manner:

Senate Bill No. 495 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Driscoll, East, Edland, Ellerd, Fagg, Fleming, Flynn, Forsgren, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marks, Mehrens, Menahan, Murphy, Norman, Prevost, Quilici, Roberts, Schepens, Schye, Seifert, Shelden, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Watt, Yardley, Mr. Speaker. Total 82.

Noes: Bell, Burnett, Kessner, Selstad. Total 4.

Excused: Cox, Hall, Holtz, Marbut, Mercer, Warfield, Zimmer. Total 7.

Absent or not voting: Fasbender, Galt, Lombardi, Olson, Regan, Rolfe, Smith. Total 7.

Senate Bill No. 524 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Greely, Gunderson, Hageman, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Huennekens, Jacobsen, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, McKittrick, Mann, Mehrens, Menahan, Murphy, Norman, Olson, Quilici, Regan, Roberts, Schepens, Schye, Seifert, Selstad, Shelden, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Towe, Turner, Ulmer, Watt, Yardley, Mr. Speaker. Total 80.

Noes: Glennen, Hubing, Johnston, Lynch, Manuel, Marks, Prevost, Smith, Walborn. Total 9.

Excused: Cox, Hall, Holtz, Marbut, Mercer, Warfield, Zimmer. Total 7.

Absent or not voting: Galt, Hager, Rolfe, Turman. Total 4.

Senate Bill No. 560 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann,

Manuel, Marks, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Watt, Yardley, Mr. Speaker. Total 92.

Noes: None.

Excused: Cox, Hall, Holtz, Marbut, Mercer, Warfield, Zimmer. Total 7.

Absent or not voting: Rolfe. Total 1.

Senate Bill 634 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Driscoll, East, Edland, Ellerd, Fagg, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marks, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Quilici, Regan, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Watt, Yardley, Mr. Speaker. Total 90.

Noes: None.

Excused: Cox, Hall, Holtz, Marbut, Mercer, Warfield, Zimmer. Total 7.

Absent or not voting: Fasbender, Roberts, Rolfe. Total 3.

Senate Joint Resolution No. 54 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marks, Mehrens, Menahan, Murphy, Norman, Prevost, Quilici, Regan, Roberts, Schepens, Seifert, Selstad, Shelden, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Watt, Yardley, Mr. Speaker. Total 88.

Noes: None.

Excused: Cox, Hall, Holtz, Marbut, Mercer, Warfield, Zimmer. Total 7.

Absent or not voting: Galt, Olson, Rolfe, Schye, Smith. Total 5.

Senate Amendments to House Bill No. 711 were concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Driscoll, East, Edland, Fagg, Fleming, Flynn, Forsgren, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, Mann, Manuel, Marks, Mehrens, Menahan, Murphy, Norman, Prevost, Quilici, Regan, Roberts, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmillier, Stephens, Stoltz, Towe, Turman, Ulmer, Walborn, Watt, Yardley, Mr. Speaker. Total 83.

Noes: McKittrick, Tierney. Total 2.

Excused: Cox, Hall, Holtz, Marbut, Mercer, Warfield, Zimmer. Total 7.

Absent or not voting: Ellerd, Fasbender, Galt, Hubing, Olson, Rolfe, Swanberg, Turner. Total 8.

REPORTS OF STANDING COMMITTEES

February 27, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills and resolution correctly printed: House Bill No. 1117, House Bill No. 1119, House Resolution No. 58.

QUILICI, Chairman

February 27, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly enrolled: House Bill No. 213, House Bill No. 625, House Bill No. 772, House Bill No. 773, House Bill No. 780, House Bill No. 817, House Bill No. 858, House Bill No. 915, House Bill No. 925, House Bill No. 946, House Bill No. 989, House Bill No. 1008.

QUILICI, Chairman

February 27, 1974

I have examined House Bill No. 773 introduced by me and find the same to be correct.

GERKE

February 27, 1974

I have examined House Bill No. 625 introduced by me and find the same to be correct.

LEE

February 27, 1974

I have examined House Bill No. 858 introduced by me and find the same to be correct.

MENAHAN

February 27, 1974

I have examined House Bill No. 915 introduced by me and find the same to be correct.

KIMBLE

February 27, 1974

I have examined House Bill No. 989 introduced by me and find the same to be correct.

MENAHAN

February 27, 1974

I have examined House Bill No. 213 introduced by me and find the same to be correct.

TURMAN

February 27, 1974

I have examined House Bill No. 780 introduced by me and find the same to be correct.

QUILICI

February 27, 1974

I have examined House Bill No. 817 introduced by me and find the same to be correct.

LEE

February 27, 1974

I have examined House Bill No. 772 introduced by me and find the same to be correct.

GERKE

February 27, 1974

I have examined House Bill No. 946 introduced by me and find the same to be correct.

BARDANOUE

February 27, 1974

I have examined House Bill No. 1008 introduced by me and find the same to be correct.

BARDANOUE

February 27, 1974

I have examined House Bill No. 925 introduced by me and find the same to be correct.

BENNETTS

February 27, 1974

The following bills will be signed on adjournment on February 27, 1974, in the office of the Speaker of the House of Representatives: House Bill No. 213, House Bill No. 625, House Bill No. 772, House Bill No. 773, House Bill No. 780, House Bill No. 817, House Bill No. 858, House Bill No. 915, House Bill No. 925, House Bill No. 946, House Bill No. 989, House Bill No. 1008, Senate Bill No. 507.

EDWIN A. SMITH, Chief Clerk
House of Representatives

February 27, 1974

Mr. Speaker: We, your Committee on Taxation, having had under consideration House Bill No. 527, respectfully report as follows: That House Bill No. 527 be amended in the title of the introduced bill, page 1, line 6 after the word "act" by striking the following material: "providing for the imposition of an annual disturbed land fee," and

Be further amended by striking all of Sections 1, 2, 3, 4, 5, 6, and 7 in their entirety and renumber Section 8 to read as Section 1, and

Be further amended in Section 1, Subsection (2), page 7 by striking lines 15 through 25 inclusive, and

Be further amended in Section 1, Subsection (2), page 8, by striking all of line 1, and

Be further amended by adding in Section 1, after Subsection (2), page 7, line 14 by inserting the following new material:

"(a) for each ton of coal having a British thermal unit (B.T.U.) rating per pound of seven thousand (7,000) or less, twelve cents (\$.12) per ton, or twenty percent (20%) of the delivered price of the coal less the cost of freight paid to a common carrier, whichever is greater;

(b) for each ton of coal having a B.T.U. rating of seven thousand one (7,001) to eight thousand (8,000), twenty-two cents (\$.22) per ton, or twenty percent (20%) of the delivered price of the coal less the cost of freight paid to a common carrier, whichever is greater;

(c) for each ton of coal having a B.T.U. rating of eight thousand one (8,001) to nine thousand (9,000), thirty-four cents (\$.34) per ton, or twenty percent (20%)

of the delivered price of the coal less the cost of freight paid to a common carrier, whichever is greater;

(d) for each ton of coal having a B.T.U. rating of nine thousand one (9,001) to ten thousand (10,000), forty cents (\$.40) per ton, or twenty percent (20%) of the delivered price of the coal less the cost of freight paid to a common carrier, whichever is greater;

(e) for each ton of coal having a B.T.U. rating of ten thousand one (10,001) to eleven thousand (11,000), fifty cents (\$.50) per ton or twenty percent (20%) of the delivered price of the coal less the cost of freight paid to a common carrier, whichever is greater;

(f) for each ton of coal having a B.T.U. rating of eleven thousand and one (11,001) and up, sixty cents (\$.60) per ton or twenty percent (20%) of the delivered price of the coal less the cost of the freight paid to a common carrier, whichever is greater;

(g) at the option of the person paying the tax, said person may take an average of all sales of strip mined coal mined in Montana sold to each customer during each quarter if said coal is extracted from the same mined area for the purpose of computing the taxes set forth herein.", and

Be further amended in Section 1, Subsection (6), page 8, line 25 by striking the words "board of equalization" and inserting in lieu thereof the words "department of revenue", and

Be further amended on page 9 after line 1 by adding the following new section:

"Section 2. The department of revenue shall make rules and regulations to implement this act.", and

As amended, do pass.

WATT, Chairman

Report adopted.

February 27, 1974

Mr. Speaker: We, your Committee on Taxation, having had under consideration House Bill No. 651, respectfully report as follows: That House Bill No. 651 be amended on page 1, title, line 7 after the word "tax" by inserting the punctuation and words "; and providing an effective date", and

Be further amended on page 1, Section 3, beginning with line 24, by striking the figures "0-99% 100-199% 200% or more", and inserting in lieu thereof the words and figures:

"First	Next	Gain Over
20-99%	100-199%	199%", and

Be further amended on page 2, Section 3, after line 5 after the figure "10%" by inserting the following new material: "The taxes imposed by this section shall be paid at the rate stated in the first column for so much of the gain as is equal to from twenty percent (20%) to ninety-nine percent (99%) of the basis, at the rate stated in the second column for so much of the gain as is in excess of ninety-nine percent (99%) of the basis but no more than one hundred ninety-nine percent (199%) of the basis, and at the rate stated in the third column for so much of the gain as is in excess of one hundred ninety-nine percent (199%) of the basis.", and

Be further amended on page 3, Section 4, after line 4, after the word and punctuation "land." by inserting the following new material:

"(4) The department of revenue shall determine in particular cases whether the transaction involved is a sale or exchange of land within the intended coverage of this act.

(5) This act shall not apply to involuntary conversions of land, as defined by the Internal Revenue Code of 1954, as amended.", and

Be further amended on page 3, Section 5, Subsection (2), line 16 after the word "the" by striking the word "amount" and inserting in lieu thereof the word "gain", and

Be further amended on page 4, Section 5, Subsection (4), line 6 after the word and punctuation "act." by inserting the following new material: "If land is held in joint tenancy or by tenancy in common, the holding period for each joint tenant or tenant in common is the time during which his interest has been actual and recorded in his own name and each joint tenant or tenant in common shall be taxed on the gain he has realized from the sale of his interest in the land at a rate determined by the length of time he has held such interest, as provided in section three (3) of this act.", and

Be further amended on page 4, Section 5, Subsection (4), line 7 after the word "are" by striking the words "tenants by the entirety" and inserting in lieu thereof the words "joint tenants or tenants in common", and

Be further amended on page 4, Section 5, Subsection 4, line 9 after the word "the" by striking the words "tenancy by the entirety" and inserting in lieu thereof the words "joint tenancy or tenancy in common", and

Be further amended on page 4, Section 5, Subsection (4), line 12 after the word and punctuation "donor." by inserting the following new material: "In the case of an inheritance or devise, the holding period of the heir or devisee shall include the time that actual and recorded title was held by the decedent. In the case of land acquired by the seller in a tax-free exchange, the holding period shall include the time in which the previous owner held actual and recorded title. In the case of land acquired by involuntary conversion, the holding period shall include the time in which the owner held any previous land traded therefor.", and

Be further amended on page 4, beginning in Section 7, beginning on line 19 be striking the existing Section 7 in its entirety, and inserting in lieu thereof the following Section 7:

"Section 7. Payment of taxes. (1) Taxes imposed by this act shall be paid in the following manner. Each transferor subject to taxation under this act shall file a return with the department of revenue when he files his income tax return for the year in which the transfer took place or on the fifteenth day of April next following the year in which the transfer took place, whichever occurs first. The return shall be filed on forms furnished by the department and shall state the amount of tax due and such other pertinent information as the department shall require for the administration of this act. The tax money due shall accompany the return filed pursuant to this section.

(2) Failure to pay taxes owing pursuant to this act subjects the transferor to the penalties and procedures of sections 84-4924 through 84-4929, R.C.M. 1947, for failure to pay income taxes.", and

Be further amended on page 7, Section 8, beginning in Subsection (2) beginning on line 7 by striking the existing Subsection (2) in its entirety, and inserting in lieu thereof the following new Subsection (2):

"(2) Notwithstanding any other provisions of this act, the tax return required by this act and the tax due under this act on any installment sale shall be filed and paid annually at the time of payment of the transferor's income tax or at the date prescribed in section 84-4919, R.C.M. 1947, for the filing of income tax returns for so much of the purchase price as the transferor has received in the taxable year for which the return is filed.", and

Be further amended on page 7, after Section 8, after Subsection (3), after line 25, by inserting the following new material:

"Section 9. This act shall not apply to the sale, lease or agreement to buy and sell land where the parties to the transaction enter into a covenant running with the land and revocable only after a period of at least six (6) years that the land will be used exclusively for agricultural purposes as defined in section 84-437.2, R.C.M. 1947. Such a covenant may be enforced by the local governing body having jurisdiction over the land in question.", and

Be further amended on page 8, beginning on line 1 after the word "Section" by striking the figure "9" and inserting in lieu thereof the figure "10", and

Be further amended on page 8, after Section 10, after Subsection (3), after line 9 by inserting the following new material:

"Section 11. Taxes paid into general fund. All taxes received by the department of revenue pursuant to this act shall be paid into the general fund.

Section 12. Department to make regulations. The department of revenue shall promulgate such rules and regulations as it shall deem necessary to enforce the provisions of this act.", and

Be further amended on page 8, beginning on line 20, after the word "Section" by striking the figure "10" and inserting in lieu thereof the figure "13", and

As amended, do pass.

WATT, Chairman

Report adopted.

February 27, 1974

Mr. Speaker: We, your Committee on Taxation, having had under consideration House Bill No. 906, respectfully report as follows: That House Bill No. 906 be amended in the title on page 1, line 5, after the words "yield tax" by inserting the punctuation and words: ", a surtax," and

Be further amended on page 1, line 10, after the enacting clause, by striking all of the 23 sections and inserting in lieu thereof the following substitute bill:

"Section 1. Short title. This act may be cited as the 'Montana Timberland Taxes Act.'

Section 2. Legislative findings. The legislature finds: (1) The interests of the state require that steps be taken to modernize the system of taxation of timber and forestland to assure the citizens and future citizens of this state the advantages to be derived from the continuous productions of timber and forest products. It is the policy of this state to encourage good forest practices so that present and future generations can enjoy the many and varied benefits which forests provide by enhancing water supply, by providing a habitat for wildlife, by providing scenic and recreational spaces, by providing employment and profits for its citizens and by providing raw materials for products needed by everyone.

(2) The existing ad valorem property tax system is unsatisfactory for taxation of standing timber and will increasingly discourage good forestry, private ownership and investment of capital in reforestation.

(3) For these reasons, it is desirable to replace the ad valorem taxation of timber with a tax based on the stumpage value at the time of harvest and continue taxing forest lands under the ad valorem taxation system.

Section 3. Legislative purpose. It is the purpose of this act to exempt timber from levy and collection of the general ad valorem property tax, and in lieu thereof, there is imposed on such timber a yield tax and further, that forest land shall continue to be assessed and taxed in accordance with general ad valorem property tax laws.

Section 4. Definitions. As used in this act, unless the context requires otherwise:

(1) 'Department' means the department of revenue.

(2) 'Director' means the director of the department of revenue.

(3) 'Forest land' means all land growing forest tree species which are capable or could be capable of furnishing raw material used in the manufacture of lumber or other forest products. The term also includes all land from which forest tree species have been removed but have not yet been restocked, but it does not include land converted to uses other than the growing of forest trees species. The department will designate which lands qualify as forest lands.

(4) 'Harvest' means an activity related to the cutting or the removal of forest trees for use or sale as a forest product.

(5) 'Owner' means every person, partnership, corporation or association of whatever nature who from privately or publicly owned land, under a right or license granted by lease or contract, either directly or by contracting with others for the necessary labor or mechanical services fells, cuts or takes timber for sale or use. It does not include persons performing under contract the necessary labor or mechanical services for an owner.

(6) 'Timber' is synonymous with forest tree species and means all wood growth, mature or immature, growing or dead, standing or down, on all land that is capable of furnishing raw material used in the manufacture of lumber or other forest products. It does not mean Christmas trees, which are grown on land that has been prepared by intensive cultivation and tilling, such as by plowing or turning over the soil, and on which all unwanted plant growth is controlled continuously for the exclusive purpose of raising such Christmas trees.

Section 5. Rate of yield tax — measurement of amount harvested. Every owner of timber in Montana shall be subject to a tax at the time of harvest equal to the immediate harvest value of the timber multiplied by the appropriate rate as follows:

(a) For timber harvested between January 1, 1976 and December 31, 1976 inclusive, the rate shall be three percent (3%);

(b) For timber harvested between January 1, 1977 and December 31, 1977 inclusive, the rate shall be three and one quarter percent (3.25%);

(c) For timber harvested between January 1, 1978 and December 31, 1978 inclusive, the rate shall be three and one half percent (3.5%);

(d) For timber harvested between January 1, 1979 and December 31, 1979 inclusive, the rate shall be three and three quarters percent (3.75%);

(e) For timber harvested between January 1, 1980 and December 31, 1980 inclusive, the rate shall be four percent (4%);

(f) For timber harvested on or after January 1, 1981 the rate shall be determined and fixed by the legislature. The department shall furnish the legislature meeting in January, 1980 with a review of the yield tax imposed by this act.

Section 6. Determination of immediate harvest values — application by areas. (1) The department shall determine at least once each year the immediate harvest values to be used in computing the yield tax imposed. The values shall be determined for each species or subclassification, as provided in subsections two (2) and three (3) of this section. The department shall determine which areas shall be treated as units for the application of immediate harvest values determined under this section. The areas shall be selected within the discretion of the department based on administrative feasibility to include timber having similar growing, harvesting and marketing characteristics.

(2) Immediate harvest values shall be the amount that each such species or subclassification would sell for at a voluntary sale made in the ordinary course of business for purposes of immediate harvest, and shall be expressed in terms of a dollar amount per thousand board feet or other unit of measure. Such immediate harvest values shall be determined from the gross proceeds from sales on the stump of similar timber of like quality and character at similar locations and in similar quantities and shall be determined in a manner which makes reasonable and adequate allowance for age, size, quality, cost of removal, accessibility to point of conversion, market conditions and all other relevant factors. Upon application from any owner who plans to harvest damaged timber, the immediate harvest values for which have been materially reduced from the values shown in the applicable tables due to damage resulting from fire, blowdown, ice storm, flood or other sudden unforeseen cause, the department shall revise such tables for any area in which such timber is located and shall specify any additional accounting or other requirements to be complied with in reporting and payment of tax thereon. The amount harvested shall be determined by the Scribner Decimal Scale C or other prevalent measuring device adjusted to arrive at substantially equivalent measurements.

(3) The completed immediate harvest value tables shall be signed by the director or his designee in duplicate and authenticated by the official seal of the department. One (1) copy shall be delivered to the secretary of state, and the other copy shall be retained on file in the office of the department. A copy thereof shall be mailed to anyone who has submitted to the department a written request therefore. Any owner may appeal to the department for a review of designated harvest values submitted by the department for a specified area or areas.

Section 7. Notification of intent to harvest — payment of yield tax — filing of returns — order of crediting payments — payment of tax under ten dollars (\$10) excused. (1) Prior to the harvesting of any timber, all owners except those planning to harvest less than two hundred dollars (\$200) of timber for personal use in any quarter must notify the department of the intent to harvest and must secure from the department a yield tax collection number. When more than one harvest is to be conducted in separate areas by the same owner, all harvests may be included on one notice. The notification required by this section shall be on forms prescribed by and provided by the department and shall include all relevant information the department considers necessary. Promptly upon receipt of the notice the department shall provide to the owner his yield tax collection number(s), instructions, immediate harvest value tables for each area in which he will harvest, and tax reporting forms.

(2) The yield tax shall be due and payable quarterly on or before the last day of April, July, October and January of each year for all timber harvested during the preceding calendar quarter commencing with the calendar quarter beginning January 1, 1976. Timber shall be considered harvested for purposes of this subsection at the time when in the ordinary course of business the quantity of timber harvested is first definitely determined. The tax shall be delinquent if not paid by the due date or within the additional time allowed for filing under subsection three (3) of this section.

(3) On or before the last day of April, July, October and January, each owner shall make out a return on the form prescribed by the department showing the amount of tax for which he is liable for the preceding calendar quarter and such other relevant information as the department considers necessary to correctly determine the tax due and shall mail or deliver the return, together with a remittance for the amount of the tax, to the office of the department at Helena, Montana. The return shall be signed and verified by the owner or a duly authorized agent of the owner. Whenever in its judgment good cause exists, the department may allow further time not exceeding thirty (30) days for filing a return and payment of the tax due.

(4) All payments received under this act shall be credited first to penalty and then to interest accrued on the tax being paid and then to the tax. Penalty, interest and taxes for prior delinquent quarters shall be paid in full chronologically before any payments shall be credited to any subsequent quarter.

(5) Owners incurring less than ten dollars (\$10) total tax liability under this act in any calendar quarter are excused from the payment of such tax but may be required to file a quarterly return.

Section 8. Timber tax account and subaccounts. (1) The revenue from the yield tax of this act shall be remitted by the department to the state treasurer who shall deposit it in a suspense account established under the provisions of section 79-412. After payment of refunds pursuant to subsection two (2) of this section the balance remaining shall be deposited in the general fund to the credit of the timber tax account which account is established.

(2) The amount of moneys necessary to pay refunds of the taxes levied under this act are appropriated continuously to the department from the suspense account referred to in subsection one (1) of this section, and shall be used by the department for the payment of all refunds of taxes levied under this act which have been audited and approved by the department. Any penalties, interest and taxes then due from the taxpayer shall be applied in that order in computing any refund, and only the balance due the taxpayer, if any, shall be refunded.

(3) Subject to subsection two (2) and subsection four (4) of this section the records of the department shall reflect the tax credit for each taxing district in

the same proportion that the harvest factor in each taxing district bears to the sum of all the harvest factors for all taxing districts in the state. Harvest factor for the purposes of this act shall be the average of the aggregate value of all timber harvested within the school district in the most recent five (5) year period if the act has been in effect for five (5) years. If the act has not been in effect for five (5) years, the period shall be the number of years the act has been in effect. The aggregate value shall be determined from the yield tax returns filed with the department.

(4) There is established a subaccount of the timber tax account to be known as the administrative subaccount. The moneys in the administrative subaccount hereby are appropriated continuously for use in reimbursing the general fund for expenses incurred in the collection of the taxes imposed by this act which have been paid from the general fund. Whenever the unobligated balance in the administrative subaccount is less than ten thousand dollars (\$10,000) the department shall direct the state treasurer to transfer to the subaccount from the timber tax account the sum of ten thousand dollars (\$10,000).

(5) In addition to the rates specified in subsection one (1) of section five (5) of this act, there shall be imposed upon each owner a surtax at a rate of one half of one percent (.5%) on the immediate harvest value of timber, as specified in subsections two (2) and three (3) of section six (6) of this act, upon timber harvested between January 1, 1976 and December 31, 1976 inclusive. The revenues from such surtax shall be deposited in a separate fund, designated as the 'reserve fund subaccount', which is hereby established within the timber tax account. The surtax shall be reimposed for one year, at anytime the balance in the reserve fund subaccount is reduced to less than three hundred thousand dollars (\$300,000).

Section 9. Department to furnish estimates of distributions from timber tax account — county commissioners to fix levies using the amount certified — apportionment to taxing districts. (1) On or before July 1, of each year, commencing with 1976 and ending with 1980, the department shall furnish to the county assessor the estimated amount of yield taxes to be distributed to each taxing district in the county for the current fiscal year converted to taxable value by the department. The assessor shall include such taxable value in the total taxable values to be used by the county commissioners in setting mill levy rates for the various taxing districts for the current fiscal year. Such estimates of receipts shall be based on taxable value of standing timber in 1975 plus any distributions from the timber tax reserve fund subaccount, pursuant to subsection (4) of this section.

(2) On or before July 1, of each year, commencing with 1981, the estimated amount of yield taxes converted to taxable values and furnished to the county assessor, shall reflect a tax credit assigned to each taxing district in the same proportion that the harvest factor for each district bears to the sum of the harvest factors for all taxing districts in the state.

(3) All moneys to be distributed by the department to the various counties, pursuant to subsection one (1) and subsection two (2) of this section, must be credited to the proper taxing districts by the department and remitted to the respective county treasurers on or before the fifteenth day of the month following April 30, July 31, October 31 and January 31. Remittances to the county treasurers shall be made by the department commencing with May 15, 1976. The county treasurer shall distribute such moneys to the various funds within the proper taxing district in the same proportions that collections from ad valorem taxes within the district are distributed.

(4) At the end of the fourth quarter of 1976 and at the end of every fourth quarter thereafter, any moneys in the timber tax reserve fund subaccount in excess of four hundred thousand dollars (\$400,000) shall be transferred to the timber tax account, and one fourth of the transferred moneys shall be distributed with each quarterly distribution to the counties in the immediately following year. Moneys shall be transferred in the same proportion that each taxing district's credit in the reserve fund subaccount bears to the total value in the reserve fund subaccount as a whole.

Section 10. Deficiency below scheduled revenues. If the amount of revenues available for crediting to the various taxing districts pursuant to subsection three

3) of section eight (8) of this act for any quarter is less than the estimates computed by the department under subsection one (1) and subsection two (2) of section nine (9) of this act, the deficiency shall be made up as far as possible out of any available funds in the reserve fund subaccount, which funds are continuously appropriated for such purpose.

Section 11. Excess over scheduled revenues. If the amount of revenues available for crediting to the various taxing districts pursuant to subsection three (3) of section eight (8) of this act for any quarter exceeds the department's estimates computed under section nine (9) of this act, the excess shall be credited to the reserve fund subaccount and only the amount equal to the estimated revenues shall be credited to the taxing districts in the designated fiscal year.

Section 12. Forest land tax. Forest land shall continue to be subject to ad valorem taxation.

Section 13. Appeals. Any owner may appeal for the revision or refund of any tax of this act as provided in section 84-403.

Section 14. Procedure to determine taxes — penalty — tax lien. If any person shall fail, neglect or refuse to file any statement required by this act, or shall fail to make payment of such taxes within the time therein required, the department shall, immediately after such time has expired, proceed to inform itself, as best it may, regarding the amount of timber harvested and the number of acres of forest land held by such person, during such quarter or year and shall determine and fix the amount of the taxes due to the state from such person for such quarter or year, and shall make out a statement in triplicate, showing the same, and shall add to the amount of such taxes, ten percent (10%) thereof as a penalty, and one of such statements shall be in the office of the county clerk and recorder of the county in which the timber was harvested or land is located and one of such statements delivered to the state treasurer, who shall proceed to collect the amount of such taxes, with the penalty added thereto and interest on the whole thereof, at the rate of eight percent (8%) per year from the date of making of such statement by the department until paid. Upon request of the state treasurer, it shall be the duty of the attorney general or any county attorney to commence, and prosecute to final determination in any court of competent jurisdiction, an action at law to collect the same.

The taxes assessed against any person under this act, together with penalties and interest thereon, shall be a lien upon any and all property owned by such person within this state and upon the timber and forest land owned by such person, which lien shall attach on the date when the taxes are certified to the state treasurer by the department and such lien may be enforced in the name of the state of Montana, in the same manner as other liens are enforced at law.

Section 15. Department to review act. At the end of at least four (4) years operation of this act, the department shall present a review to the legislature of the rate of yield tax imposed by this act, and recommendations as to any proposed changes in the method of distribution of collected revenues under this act to the taxing districts.

Section 16. Severability clause. It is the intent of the legislative assembly that if a part of this act is invalid, all valid parts that are severable from the invalid part remain in effect. If a part of this act is invalid in one or more of its applications, the part remains in effect in all valid applications that are severable from the invalid applications.

Section 17. Effective date. This act is effective January 1, 1976.", and

As amended, do pass.

WATT, Chairman

Report adopted.

February 27, 1974

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration Senate Bill No. 522 respectfully report as follows: That Senate Bill No. 522 be concurred in.

GREELY, Vice-Chairman

Report adopted.

UNFINISHED BUSINESS

The Speaker appointed the following Conference Committee to meet with a like committee from the Senate on Senate Bill No. 508: Edland, Chairman; Stephens and Fagg.

The Speaker appointed the following Free Conference Committee to meet with a like committee from the Senate on House Bill No. 233: Bardanouve, Chairman; Menahan and Olsen.

The Speaker appointed the following Conference Committee to meet with a like committee from the Senate on House Bill No. 789: Greely, Chairman; Swanberg and Tierney.

Fasbender moved that the House adjourn until 1:30 p.m., February 28, 1974.

Motion carried.

House adjourned.

HAROLD E. GERKE, Speaker

EDWIN A. SMITH, Chief Clerk

FORTY-SIXTH LEGISLATIVE DAY

Helena, Montana
February 28, 1974

House Chambers
Capitol Building

House convened at 1:30 p.m., Mr. Speaker in the Chair.

Invocation by the Chaplain.

Pledge of Allegiance to the Flag.

Roll call. All members present except Campbell, Fagg, Fasbender, Hager, Hall, Holtz, Lockrem, Lund, Marks, Mercer, Prevost, Rolfe, Towe and Zimmer, all excused.

Quorum present.

Mr. Speaker: We, your Committee on Bills and Journal, having examined the daily journal for the Forty-fifth Legislative Day, find the same to be correct.

QUILICI, Chairman

REPORTS OF STANDING COMMITTEES

February 28, 1974

The following bills were signed in the office of the Speaker of the House of Representatives on February 27, 1974: House Bill No. 213, House Bill No. 625, House Bill No. 772, House Bill No. 773, House Bill No. 780, House Bill No. 817, House Bill No. 858, House Bill No. 915, House Bill No. 925, House Bill No. 946, House Bill No. 989, House Bill No. 1008, Senate Bill No. 507.

EDWIN A. SMITH, Chief Clerk
House of Representatives

February 28, 1974

The following bills will be signed on adjournment on February 28, 1974, in the office of the Speaker of the House of Representatives: Senate Bill No. 474, Senate Bill No. 569, Senate Bill No. 584, Senate Bill No. 653.

EDWIN A. SMITH, Chief Clerk
House of Representatives

February 27, 1974

Mr. Speaker: We, your Committee on Agriculture, Livestock and Irrigation, having had under consideration Senate Bill No. 476, respectfully report as follows: That Senate Bill No. 476 be concurred in.

FLEMING, Chairman

Report adopted.

February 28, 1974

Mr. Speaker: We, your Committee on Education, having had under consideration Senate Bill No. 485, respectfully report as follows: That Senate Third Reading Bill No. 485 be amended in Section 1, Subsection (6), page 2, line 10 after the word "blind" by inserting the words "and physically handicapped", and

Be further amended in Section 2, Subsection (1), page 5, line 24 after the word "federation" by omitting the words "either by" and inserting in lieu thereof the words "according to", and

Be further amended in Section 2, Subsection (1), page 6, line 1 after the word "body" by omitting the word "of" and inserting in lieu thereof the word "or", and

As amended, be concurred in.

GUNDERSON, Chairman

Report adopted.

February 28, 1974

Mr. Speaker: We, your Committee on Education, having had under consideration Senate Bill No. 588, respectfully report as follows: That Third Reading Senate Bill No. 588 be amended in the key line on page 1, line 4 by omitting the key line "75-6314" and inserting in lieu thereof the key line "75-6316", and

Be further amended in the title on page 1, line 6 after the word "allowing" by omitting the word "discretionary" and inserting in lieu thereof the words "discretion in approval of", and

Be further amended in the title on page 1, line 7 after the word "students" by omitting the words "and providing criteria" and inserting in lieu thereof the words "in certain cases", and

Be further amended in the title on page 1, line 8 after the word "section" by omitting the code "75-6314" and inserting in lieu thereof the code "75-6316", and

Be further amended in the title on page 1, line 8 after the year "1947" by omitting the following material: "; relating to discretionary tuition for elementary students", and inserting in lieu thereof the following new material: "; and providing an effective date", and

Be further amended after the enacting clause on page 1, line 11 by omitting all the material beginning on page 1, line 12 through and including page 3, line 8 and inserting in lieu thereof the following new material:

"Section 1. Section 75-6316, R.C.M. 1947, is amended to read as follows:

"75-6316. High School tuition. Any child may be enrolled in and attend a high school outside of the county in which he resides when such high school is located in any county of the state of Montana or in a county of another state that is adjacent to the state of Montana. When a parent or guardian of a child wishes to have his child attend a school under the provisions of this section, he shall apply to the county superintendent of the county of his residence before the first day of July of the school fiscal year for which he seeks approval except in those cases when substantial changes in circumstances occurred subsequently to justify later application. Such application shall be made on a tuition agreement form supplied by the county superintendent and shall be approved by the trustees of the district where the child wishes to attend school and the county superintendent of the child's

county of residence before permission to enroll in and attend a school outside of the county under the provisions of this section shall be granted.

The county superintendent shall approve a tuition application when a child lives closer to a high school of another county than any high school located within his resident county or, when due to road or geographic conditions, it is impractical to attend a high school in his resident county. In approving such a tuition application the county superintendent is not required to approve a tuition application for a student seeking to attend a high school outside the state of Montana if the resident district provides transportation. In approving a tuition agreement under this provision, the county superintendent may require the child to attend the high school closest to his residence. The county superintendent may approve any other tuition application that satisfies the geographic requirements of this section.

The trustees of the district where the child wishes to attend school shall approve or disapprove any tuition application submitted to them under the provisions of this section within fifteen (15) days after the receipt of the application.

The county superintendent shall notify the parent or guardian, and the trustees of the district where the child wishes to attend school of the tuition agreement approval or disapproval. If a tuition agreement is disapproved by the county superintendent, the parent may appeal such disapproval to the county superintendent for his reconsideration and, subsequently, to the superintendent of public instruction under the provision for the appeal of controversies in this Title. The approval of any tuition agreement by the approval agents or upon appeal shall authorize the child named in such agreement to enroll in and attend the school named in such agreement for the ensuing school fiscal year.

Section 2. This act shall be effective upon its passage and approval.", and

As amended, be concurred in.

GUNDERSON, Chairman

Report adopted.

February 27, 1974

Mr. Speaker: We, your Committee on Agriculture, Livestock and Irrigation, having had under consideration Senate Bill No. 620, respectfully report as follows: That Senate Third Reading Bill No. 620 be amended on page 1, Section 1, line 22 after the words "of the" by inserting the following new material: "county extension agent or", and

Further amend page 2, Section 3, lines 18 and 19 after the word and punctuation "one (1)" by striking the following: "a professional biologist or", and

Further amend pages 2 and 3, Section 3, lines 24 through 1 after the words "be a" by striking the following material: "member of a sportmen's organization in the county or be a professional biologist or", and

Further amend page 3, Section 3, lines 13 and 14 after the word and punctuation "board." by striking the following: "All such supervisors shall be entitled to mileage, and per diem of ten dollars (\$10) per day" and inserting in lieu thereof the following new material: "Salary per diem and mileage of such supervisors shall be set by resolution of the board of county commissioners", and

Further amend page 3, Section 4, lines 23 and 24 following the word "seed" by striking the following: "on public highways and county-owned lands", and

Further amend page 4, Section 4, lines 1 through 3 following the words "weeds on" by striking the following: "the highways and county owned land and on public streets, alleys and municipally owned land within the confines of the district" and inserting in lieu thereof the following new material: "all lands within the confines of the district", and

Further amend page 4, Section 4, line 4 following the word "control" by striking the word "only", and

Further amend page 4, Section 4, line 5 after the word and punctuation "habitat." by inserting the following new material: "where at all possible", and

Further amend page 4, Section 4, line 12 following the word and punctuation "fund." by inserting the following new material: "Costs attributed to other lands within the district shall be assessed to and collected from the appropriate holder or owner of interest as set forth in section 16-1706.", and

As amended, be concurred in.

FLEMING, Chairman

Report adopted.

February 28, 1974

Mr. Speaker: We, your Committee on Education, having had under consideration Senate Bill No. 671, respectfully report as follows: That Third Reading Senate Bill No. 671 be concurred in.

GUNDERSON, Chairman

Report adopted.

February 28, 1974

Mr. Speaker: We, your Committee on Education, having had under consideration Senate Bill No. 689, respectfully report as follows: That Third Reading Senate Bill No. 689 be concurred in.

GUNDERSON, Chairman

Report adopted.

February 28, 1974

Mr. Speaker: We, your Committee on Education, having had under consideration Senate Bill No. 731, respectfully report as follows: That Third Reading Senate Bill No. 731 be not concurred in.

GUNDERSON, Chairman

February 28, 1974

Mr. Speaker: We, your Committee on Natural Resources, having had under consideration Senate Joint Resolution No. 44, respectfully report as follows: That Senate Joint Resolution No. 44 be amended in the Senate Third Reading Bill as follows:

Amend page 2, following line 22 by adding this new paragraph: "Be it further resolved that copies of this joint resolution be sent to the Honorable Mike Mansfield and the Honorable Lee Metcalf, United States Senators; the Honorable John Melcher and the Honorable Richard Shoup, United States Representatives; to the Secretary of the United States Department of Agriculture; and to the Chief Forester in the United States Department of Agriculture soliciting their support.", and

As amended, be concurred in.

SHELDEN, Chairman

February 28, 1974

Mr. Speaker: We, your Committee on Natural Resources, having had under consideration Senate Joint Resolution No. 52, respectfully report as follows: That Senate Joint Resolution No. 52 be concurred in.

SHELDEN, Chairman

Report adopted.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 497 was adopted by the following vote:

Ayes: Asbjornson, Baeth, Bardanouve, Bennetts, Bradley, Brand, Colberg, East, Edland, Ellerd, Fleming, Flynn, Greeley, Gunderson, Hageman, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Huennekens, Jacobsen, Johnston, Kendall,

Kimble, Kolstad, Kosena, Laas, Lee, Lien, Lombardi, Lynch, Menahan, Murphy, Norman, Quilici, Regan, Roberts, Schepens, Shelden, Staigmiller, Stephens, Swanberg, Watt, Yardley, Mr. Speaker. Total 47.

Noes: Aageson, Ainsworth, Barrett, Bell, Brown, Castles, Clemow, Cotton, Cox, Forsgren, Galt, Glennen, Hubing, Jones, Kessner, Kvaalen, Lucas, Lundgren, Mann, Marbut, Schye, Seifert, Selstad, Smith, Tierney, Turman, Turner, Ulmer, Walborn. Total 29.

Excused: Campbell, Fagg, Fasbender, Hager, Hall, Holtz, Lockrem, Lund, Marks, Mercer, Prevost, Rolfe, Towe, Zimmer. Total 14.

Absent or not voting: Baucus, Burnett, Driscoll, Holmes, McKittrick, Manuel, Mehrens, Olson, Stoltz, Warfield. Total 10.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 668 was adopted by the following vote:

Ayes: Aageson, Ainsworth, Baeth, Bardanouve, Bennetts, Bradley, Brand, Clemow, Colberg, Cotton, Edland, Fleming, Flynn, Greely, Gunderson, Hageman, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Huennekens, Jacobsen, Johnston, Kendall, Kimble, Kosena, Laas, Lee, Lien, Lombardi, Lucas, Lynch, McKittrick, Marbut, Menahan, Murphy, Norman, Quilici, Regan, Roberts, Schepens, Seifert, Selstad, Shelden, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Turman, Turner, Ulmer, Watt, Yardley, Mr. Speaker. Total 58.

Noes: Asbjornson, Barrett, Bell, Brown, Castles, Cox, Forsgren, Galt, Glennen, Kessner, Kolstad, Kvaalen, Mann, Schye, Smith, Walborn, Warfield. Total 17.

Excused: Campbell, Fagg, Fasbender, Hager, Hall, Holtz, Lockrem, Lund, Marks, Mercer, Prevost, Rolfe, Towe, Zimmer. Total 14.

Absent or not voting: Baucus, Burnett, Driscoll, East, Ellerd, Hubing, Jones, Lundgren, Manuel, Mehrens, Olson. Total 11.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 704 was adopted by the following vote:

Ayes: Aageson, Ainsworth, Baeth, Bardanouve, Barrett, Bell, Bennetts, Bradley, Brand, Brown, Clemow, Cox, Edland, Fleming, Flynn, Forsgren, Galt, Glennen, Gunderson, Hageman, Haines, Halvorson, H. Harper, R. Harper, Hodges, Holmes, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Lien, Lucas, Lundgren, Mann, Marbut, Menahan, Murphy, Norman, Regan, Roberts, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 63.

Noes: Asbjornson, Castles, Cotton, Greely, Healy, Laas, Lee, Lombardi, Lynch, McKittrick, Quilici, Tierney. Total 12.

Excused: Campbell, Fagg, Fasbender, Hager, Hall, Holtz, Lockrem, Lund, Marks, Mercer, Prevost, Rolfe, Towe, Zimmer. Total 14.

Absent or not voting: Baucus, Burnett, Colberg, Driscoll, East, Ellerd, Hubing, Huennekens, Manuel, Mehrens, Olson. Total 11.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 729 was adopted by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Castles, Clemow, Colberg, Cotton, Cox, East, Edland, Fleming, Flynn, Forsgren, Galt, Glennen, Gunderson, Hageman, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lombardi, Lucas, Lundgren, Lynch, McKittrick, Mann, Marbut, Menahan, Murphy, Norman, Quilici, Regan, Roberts, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 77.

Noes: Barrett, Greely. Total 2.

Excused: Campbell, Fagg, Fasbender, Hager, Hall, Holtz, Lockrem, Lund, Marks, Mercer, Prevost, Rolfe, Towe, Zimmer. Total 14.

Absent or not voting: Burnett, Driscoll, Ellerd, Huennekens, Manuel, Mehrens, Olson. Total 7.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 832 was adopted by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bradley, Brand, Brown, Castles, Clemow, Colberg, Cotton, East, Edland, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Haines, Halvorson, R. Harper, Healy, Hodges, Holmes, Hubing, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Laas, Lee, Lien, Lombardi, Lucas, Lundgren, Lynch, McKittrick, Mann, Marbut, Menahan, Murphy, Norman, Quilici, Regan, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Tierney, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 73.

Noes: Cox, H. Harper, Kvaalen, Swanberg. Total 4.

Excused: Campbell, Fagg, Fasbender, Hager, Hall, Holtz, Lockrem, Lund, Marks, Mercer, Prevost, Rolfe, Towe, Zimmer. Total 14.

Absent or not voting: Bennetts, Burnett, Driscoll, Ellerd, Huennekens, Manuel, Mehrens, Olson, Roberts. Total 9.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 1109 was adopted by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Bardanouve, Bradley, Brand, Brown, Driscoll, Flynn, Forsgren, Glennen, Greely, Gunderson, Hageman, Halvorson, H. Harper, R. Harper, Healy, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lombardi, Lucas, Lundgren, Lynch, McKittrick, Mann, Menahan, Murphy, Olson, Quilici, Regan, Roberts, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 63.

Noes: Ainsworth, Barrett, Baucus, Hodges, Kimble, Marbut, Norman. Total 7.

Excused: Campbell, Fagg, Fasbender, Hager, Hall, Holtz, Lockrem, Lund, Marks, Mercer, Prevost, Rolfe, Towe, Zimmer. Total 14.

Absent or not voting: Bell, Bennetts, Burnett, Castles, Clemow, Colberg, Cotton, Cox, East, Edland, Ellerd, Fleming, Galt, Haines, Manuel, Mehrens. Total 16.

MESSAGES FROM THE GOVERNOR

February 27, 1974

Honorable Harold Gerke
Speaker of the House of Representatives
Capitol
Helena, Montana

Dear Mr. Speaker:

I have the honor to inform you that I have this day approved the following measures:

House Bills Nos.: 77, 232, 744, 769, 800 and 987.

Sincerely,

THOMAS L. JUDGE
Governor

cc: Honorable Gordon McOmber

February 26, 1974

Honorable Gordon McOmber
President of the Senate
Capitol
Helena, Montana

Dear Mr. President:

I have the honor to inform you that I have this day approved the following measures:

Senate Bills Nos.: 484 and 488.

Sincerely,

THOMAS L. JUDGE
Governor

cc: Honorable Harold Gerke

February 27, 1974

Honorable Gordon McOmber
President of the Senate
Capitol
Helena, Montana

Dear Mr. President:

I have the honor to inform you that I have this day approved the following measures:

Senate Bills Nos.: 551 and 589.

Sincerely,

THOMAS L. JUDGE
Governor

cc: Honorable Harold Gerke

February 28, 1974

Honorable Gordon McOmber
President of the Senate
Capitol
Helena, Montana

Dear Mr. President:

I have the honor to inform you that I have this day approved the following measures:

Senate Bills Nos.: 507, 575, 576, and 667.

Sincerely,

THOMAS L. JUDGE
Governor

cc: Honorable Harold Gerke

MESSAGES FROM THE OTHER HOUSE

February 27, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day failed to concur in House amendments to Senate Bill No. 489 and the President was authorized to appoint a Free Conference Committee to meet with a like committee from the House to confer on Senate Bill No. 489.

The President appointed the following members:

Senator Shea, Chairman
Senator Turnage
Senator Boylan

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

February 27, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House amendments to Senate bills were this day concurred in by the Senate:

House amendments to Senate Bill No. 463

House amendments to Senate Bill No. 523

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

February 27, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read third time and concurred in as amended, titles and history agreed to, and the said bills are herewith returned to the House for concurrence in Senate amendments:

House Bill No. 586 introduced by Bardanouve and Kosena

House Bill No. 732 introduced by Lien, Lund, et al

House Bill No. 781 introduced by Fagg, Cox, et al

House Bill No. 922 introduced by Lien, Stoltz, et al

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

February 27, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was this day on Committee report, not concurred in, report adopted, and the said bill is herewith returned to the House:

House Bill No. 690 introduced by Watt

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

February 27, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills and House Joint Resolution were this day read third time and concurred in, titles and history agreed to, and the said bills and resolution are herewith returned to the House:

House Bill No. 610 introduced by Turman and McKittrick

House Bill No. 966 introduced by Turman, Mann, and Schepens

House Bill No. 1,098 introduced by Lee, Lynch, et al

House Joint Resolution No. 63 introduced by Lien, Jacobsen and Stephens

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

February 27, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was this day on Committee report, rejected as improperly introduced according to Joint Rule 6-8, report adopted, and the said bill is herewith returned to the House:

House Bill No. 1,045 introduced by Huennekens

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

February 27, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was on February 26, 1974, on Committee of the Whole, recommended that further action be indefinitely postponed as amended, report adopted, and the said bill is herewith returned to the House:

House Bill No. 960 introduced by Tierney, Stephens, et al

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

MOTIONS

Watt moved that House Bill No. 527 be taken from printing and re-referred to the Committee on Taxation.

Motion carried.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following resolutions were introduced, read first time and referred to committees:

House Resolution No. 65, introduced by Norman, Tierney, Kimble, Brand, Fleming, Yardley, Stephens, Towe, Fagg, Galt, R. Harper, Driscoll, Huennekens, Schye, Forsgren, Hager, Shelden, Hodges, McKittrick, Baeth, Staigmillier, Watt, Baucus, Ellerd: A Resolution of the House of Representatives of the State of Montana directing the Legislative Audit Committee of the Senate and House of Representatives of the State of Montana to make available to this session of the legislature on or before the forty-eighth day of this session, a report of its investigation of the Workmens Compensation Division of the Department of Labor and Industry. Referred to Committee on State Administration.

House Resolution No. 66, introduced by Haines, Turner, Lundgren, Jones, Brown: A resolution of the House of Representatives of the State of Montana memorializing Fred Whiteside and directing the Montana Arts Council to commission a statue

of Whiteside. Referred to Committee on Constitution, Elections and Federal Relations.

SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)

Swanberg moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading under the rules of the previous sitting.

Motion carried.

Burnett in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

February 28, 1974

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That House Bill No. 1117 do pass. (70-6)

That House Bill No. 1119 do pass. (79-1)

That the committee rise and report and beg leave to sit again.

BURNETT, Chairman

Report adopted.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

Senate Bill No. 240 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Barrett, Bell, Bennetts, Bradley, Brand, Brown, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fleming, Forsgren, Galt, Hageman, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lombardi, Lucas, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Mehrens, Menahan, Murphy, Olson, Quilici, Regan, Roberts, Schepens, Schye, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 75.

Noes: Bardanouve, Selstad. Total 2.

Excused: Campbell, Fagg, Fasbender, Hager, Hall, Holtz, Lockrem, Lund, Marks, Mercer, Prevost, Rolfe, Towe, Zimmer. Total 14.

Absent or not voting: Baucus, Burnett, Flynn, Glennen, Greely, Gunderson, Norman, Seifert, Walborn. Total 9.

Senate Bill No. 479 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Castles, Clemow, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fleming, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lombardi, Lucas, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Mehrens, Menahan, Murphy, Olson, Quilici, Regan, Roberts, Schepens, Schye, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 82.

Noes: None.

Excused: Campbell, Fagg, Fasbender, Hager, Hall, Holtz, Lockrem, Lund, Marks, Mercer, Prevost, Rolfe, Towe, Zimmer. Total 14.

Absent or not voting: Colberg, Flynn, Norman, Seifert. Total 4.

Senate Bill No. 499 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Castles, Clemow, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fleming, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lombardi, Lucas, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Mehrens, Menahan, Murphy, Olson, Quilici, Regan, Roberts, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 82.

Noes: None.

Excused: Campbell, Fagg, Fasbender, Hager, Hall, Holtz, Lockrem, Lund, Marks, Mercer, Prevost, Rolfe, Towe, Zimmer. Total 14.

Absent or not voting: Colberg, Flynn, Kimble, Norman. Total 4.

Senate Bill No. 521 was concurred in by the following vote:

Ayes: Ainsworth, Asbjornson, Baeth, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Burnett, Castles, Clemow, Colberg, Cotton, Driscoll, East, Edland, Ellerd, Fleming, Forsgren, Galt, Glennen, Gunderson, Hageman, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lombardi, Lucas, Lundgren, McKittrick, Mann, Manuel, Marbut, Mehrens, Menahan, Murphy, Quilici, Regan, Roberts, Schepens, Schye, Seifert, Selstad, Shelden, Staigmiller, Tierney, Turman, Ulmer, Walborn, Warfield, Watt, Mr. Speaker. Total 70.

Noes: Aageson, Brown, Cox, Greely, Kendall, Lynch, Olson, Smith, Stephens, Stoltz, Swanberg, Turner, Yardley. Total 13.

Excused: Campbell, Fagg, Fasbender, Hager, Hall, Holtz, Lockrem, Lund, Marks, Mercer, Prevost, Rolfe, Towe, Zimmer. Total 14.

Absent or not voting: Bardanouve, Flynn, Norman. Total 3.

Senate Bill No. 525 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Brand, Brown, Burnett, Castles, Clemow, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fleming, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Haines, Halvorson, H. Harper, Healy, Holmes, Hubing, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lombardi, Lucas, Lundgren, Lynch, Mann, Manuel, Marbut, Menahan, Murphy, Olson, Quilici, Regan, Roberts, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmiller, Stoltz, Swanberg, Tierney, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 74.

Noes: Bennetts, Bradley, Colberg, R. Harper, Hodges, Huennekens, Jacobsen, McKittrick, Stephens. Total 9.

Excused: Campbell, Fagg, Fasbender, Hager, Hall, Holtz, Lockrem, Lund, Marks, Mercer, Prevost, Rolfe, Towe, Zimmer. Total 14.

Absent or not voting: Flynn, Mehrens, Norman. Total 3.

Senate Bill No. 549 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fleming, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Haines, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lombardi, Lucas, Lundgren, Lynch,

McKittrick, Mann, Manuel, Marbut, Mehrens, Menahan, Murphy, Olson, Quilici, Regan, Roberts, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 83.

Noes: None.

Excused: Campbell, Fagg, Fasbender, Hager, Hall, Holtz, Lockrem, Lund, Marks, Mercer, Prevost, Rolfe, Towe, Zimmer. Total 14.

Absent or not voting: Flynn, Halvorson, Norman. Total 3.

Senate Bill No. 591 was concurred in by the following vote:

Ayes: Aageson, Baeth, Bradley, Brand, Brown, Castles, Colberg, Cotton, Driscoll, Edland, Fleming, Forsgren, Galt, Greely, Gunderson, Hageman, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Huennekens, Jacobsen, Johnston, Kendall, Kessner, Kosena, Kvaalen, Lee, Lien, Lombardi, Lucas, Lynch, Mann, Manuel, Marbut, Mehrens, Menahan, Murphy, Quilici, Regan, Roberts, Schepens, Seifert, Selstad, Shelden, Staigmiller, Stoltz, Swanberg, Tierney, Turner, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 58.

Noes: Ainsworth, Asbjornson, Barrett, Baucus, Bell, Bennetts, Burnett, Clemow, Cox, East, Glennen, Hubing, Jones, Kimble, Kolstad, Lundgren, McKittrick, Olson, Schye, Smith, Stephens, Turman, Walborn. Total 23.

Excused: Campbell, Fagg, Fasbender, Hager, Hall, Holtz, Lockrem, Lund, Marks, Mercer, Prevost, Rolfe, Towe, Zimmer. Total 14.

Absent or not voting: Bardanouve, Ellerd, Flynn, Laas, Norman. Total 5.

Senate Bill No. 604 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fleming, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lombardi, Lucas, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Mehrens, Menahan, Murphy, Olson, Quilici, Regan, Roberts, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 84.

Noes: None.

Excused: Campbell, Fagg, Fasbender, Hager, Hall, Holtz, Lockrem, Lund, Marks, Mercer, Prevost, Rolfe, Towe, Zimmer. Total 14.

Absent or not voting: Flynn, Norman. Total 2.

Senate Bill No. 609 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Castles, Clemow, Cotton, Cox, Edland, Ellerd, Fleming, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Haines, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lombardi, Lucas, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Mehrens, Menahan, Murphy, Olson, Quilici, Regan, Roberts, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 80.

Noes: None.

Excused: Campbell, Fagg, Fasbender, Hager, Hall, Holtz, Lockrem, Lund, Marks, Mercer, Prevost, Rolfe, Towe, Zimmer. Total 14.

Absent or not voting: Colberg, Driscoll, East, Flynn, Halvorson, Norman. Total 6.

Senate Bill No. 640 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fleming, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lombardi, Lucas, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Mehrens, Menahan, Murphy, Olson, Quilici, Regan, Roberts, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 83.

Noes: None.

Excused: Campbell, Fagg, Fasbender, Hager, Hall, Holtz, Lockrem, Lund, Marks, Mercer, Prevost, Rolfe, Towe, Zimmer. Total 14.

Absent or not voting: Burnett, Flynn, Norman. Total 3.

Senate Bill No. 709 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brown, Burnett, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lombardi, Lucas, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Mehrens, Menahan, Murphy, Norman, Quilici, Regan, Roberts, Schepens, Schye, Seifert, Selstad, Shelden, Staigmiller, Stoltz, Swanberg, Tierney, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 80.

Noes: Stephens. Total 1.

Excused: Campbell, Fagg, Fasbender, Hager, Hall, Holtz, Lockrem, Lund, Marks, Mercer, Prevost, Rolfe, Towe, Zimmer. Total 14.

Absent or not voting: Brand, Fleming, Flynn, Olson, Smith. Total 5.

Senate Bill No. 710 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fleming, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lombardi, Lucas, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Mehrens, Menahan, Murphy, Norman, Olson, Quilici, Regan, Roberts, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 85.

Noes: None.

Excused: Campbell, Fagg, Fasbender, Hager, Hall, Holtz, Lockrem, Lund, Marks, Mercer, Prevost, Rolfe, Towe, Zimmer. Total 14.

Absent or not voting: Flynn. Total 1.

Senate Bill No. 728 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Baeth, Bardanouve, Baucus, Bennetts, Bradley, Brand, Brown, Colberg, Cotton, Cox, Driscoll, Edland, Forsgren, Glennen, Greely, Hageman, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lombardi, Lucas, Lundgren, Lynch, McKittrick, Manuel, Marbut, Mehrens, Menahan, Murphy, Norman, Quilici, Regan, Roberts, Schepens, Shelden, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Turman, Turner, Warfield, Watt, Yardley, Mr. Speaker. Total 65.

Noes: Asbjørnson, Barrett, Bell, Burnett, Castles, Clemow, East, Ellerd, Galt, Gunderson, Hubing, Mann, Schye, Seifert, Selstad, Smith, Ulmer, Walborn. Total 18.

Excused: Campbell, Fagg, Fasbender, Hager, Hall, Holtz, Lockrem, Lund, Marks, Mercer, Prevost, Rolfe, Towe, Zimmer. Total 14.

Absent or not voting: Fleming, Flynn, Olson. Total 3.

Senate Bill No. 732 was concurred in by the following vote:

Ayes: Ainsworth, Asbjørnson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fleming, Forsgren, Glennen, Greely, Gunderson, Hageman, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lombardi, Lucas, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Mehrens, Menahan, Murphy, Norman, Olson, Quilici, Regan, Roberts, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 82.

Noes: Ageson, Burnett, Galt. Total 3.

Excused: Campbell, Fagg, Fasbender, Hager, Hall, Holtz, Lockrem, Lund, Marks, Mercer, Prevost, Rolfe, Towe, Zimmer. Total 14.

Absent or not voting: Flynn. Total 1.

Senate Amendments to House Bill No. 788 were concurred in by the following vote:

Ayes: Ageson, Ainsworth, Asbjørnson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, Edland, Ellerd, Fleming, Forsgren, Glennen, Greely, Gunderson, Hageman, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lombardi, Lucas, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Mehrens, Menahan, Murphy, Norman, Olson, Quilici, Regan, Roberts, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Turman, Turner, Ulmer, Walborn, Warfield, Yardley, Mr. Speaker. Total 81.

Noes: None.

Excused: Campbell, Fagg, Fasbender, Hager, Hall, Holtz, Lockrem, Lund, Marks, Mercer, Prevost, Rolfe, Towe, Zimmer. Total 14.

Absent or not voting: East, Flynn, Galt, Hubing, Watt. Total 5.

Senate Amendments to House Bill No. 813 were concurred in by the following vote:

Ayes: Ageson, Ainsworth, Asbjørnson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, Edland, Ellerd, Fleming, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lombardi, Lucas, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Mehrens, Menahan, Murphy, Norman, Olson, Quilici, Regan, Roberts, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 83.

Noes: None.

Excused: Campbell, Fagg, Fasbender, Hager, Hall, Holtz, Lockrem, Lund, Marks, Mercer, Prevost, Rolfe, Towe, Zimmer. Total 14.

Absent or not voting: East, Flynn, Kimble, Total 3.

Senate Amendments to House Bill No. 852 were concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, Edland, Ellerd, Fleming, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lombardi, Lucas, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Mehrens, Menahan, Murphy, Norman, Olson, Quilici, Regan, Roberts, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 83.

Noes: None.

Excused: Campbell, Fagg, Fasbender, Hager, Hall, Holtz, Lockrem, Lund, Marks, Mercer, Prevost, Rolfe, Towe, Zimmer. Total 14.

Absent or not voting: East, Flynn, Hubing. Total 3.

REPORTS OF SELECT COMMITTEES

February 28, 1974

Mr. President: We, your Legislative Audit Committee beg leave to report as follows:

1. That on the 19th day of March, 1973 at the request of several legislators, the legislative audit committee requested and directed the legislative auditor to perform a comprehensive audit of the workmen's compensation division as soon as the legislative auditor had completed other audits so that sufficient audit staff was available to undertake this audit.

2. That in accordance with said instructions on the 23rd day of July 1973 the legislative auditor began a detailed audit of the records and files of the workmen's compensation division.

3. That during the course of said audit, the legislative auditor discovered evidence of apparent violations of penal statutes and as provided by law on the 4th day of December, 1973 reported the same in writing to the attorney general.

4. That the attorney general immediately thereafter undertook to investigate the matters referred to him by the legislative auditor and within the scope of the appropriate rules of law and canons of ethics has conferred with and advised the legislative audit committee of the course, scope and progress of his investigation.

5. That although the legislative auditor and the attorney general have both worked diligently on the audit and the investigation, because of the great volumes of files and records involved neither the audit nor the investigation has been completed, and it is in the best interests of the state of Montana and all persons connected with this matter that any report from the legislative auditor or the attorney general await the completion of the audit and investigation.

6. That when the audit and investigation have been completed, the legislative auditor's report detailing all of the findings of the audit and investigation will be published and distributed as provided by law and all such findings shall be released to the public.

ASBJORNSON

BERTSCHE

MARBUT

MATHERS

GERKE, Chairman

THIESSEN

HIMSL, Vice-Chairman

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Swanberg moved that the House resolve itself into a Committee of the Whole,

for the consideration of business on Second Reading under the rules of the previous sitting.

Motion carried.

Burnett in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

February 28, 1974

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That House Resolution No. 56 be passed for the day.

That House Resolution No. 58 be adopted. (65-8)

That Senate Bill No. 522 be concurred in. (67-0)

That Senate Bill No. 546 be concurred in. (70-0)

That Senate Bill No. 563 be passed for the day.

That Senate Bill No. 581 be concurred in. (64-3)

That Senate Bill No. 654 be concurred in. (67-0)

That Senate Bill No. 691 be concurred in. (74-1)

That Senate Bill No. 698 be concurred in. (71-0)

That Senate Joint Resolution No. 49 be passed for the day.

That Senate Joint Resolution No. 66 be concurred in. (55-15)

That Senate Amendments to House Bill No. 734 be concurred in. (65-4)

That Senate Amendments to House Bill No. 843 be not concurred in. (71-2)

That Senate Amendments to House Bill No. 846 be concurred in. (70-7)

That Senate Amendments to House Bill No. 847 be concurred in. (71-4)

That Senate Amendments to House Joint Resolution No. 56 be concurred in. (55-14)

That the committee rise and report.

BURNETT, Chairman

Report adopted.

REPORTS OF STANDING COMMITTEES

February 28, 1974

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 579, respectfully report as follows: That Senate Bill No. 579 be amended as follows:

Note: All amendments pertain to Third Reading Senate Bill No. 579.

Be amended on page 1, line 4, key line by inserting before the material "93-401" the new material "16-2413", and

Be further amended on page 1, line 4, key line after the material "93-401" by inserting the new material "93-402", and

Be further amended on page 1, line 6, title after the word "amending" by striking the word "section" and inserting in lieu thereof the new material "sections 16-4213," and

Be further amended on page 1, line 7, title after the material "93-401" by inserting the new material "and 93-402", and

Be further amended on page 1, line 8, title after the word "constitute" by striking the material "as many justice courts" and inserting in lieu thereof the new material "one additional justice court", and

Be further amended on page 1, section 1, line 17 after the material "(1)" by reinstating the stricken material "There must be at least one (1) justice court in each county of the state", and

Be further amended on page 1, Section 1, line 18 after the word "state" by inserting the punctuation mark ".", and

Be further amended on page 1, Section 1, line 20 after the word "constitute" by striking the material "as many justice courts" and inserting in lieu thereof the new material "one (1) additional justice court", and

Be further amended on page 1, Section 1, line 24 after the material "location of" by striking the material "all other justices' courts" and inserting in lieu thereof the new material "the other justice court", and

Be further amended on page 3, Section 1, line 13 after the material "court." by adding new sections 2 and 3 to read as follows:

"Section 2. Section 16-2413, R.C.M. 1947, is amended to read as follows:

'16-2413. [(4735)] Keep office at county seat. All county officers except justices of the peace as set forth in 93-401 must keep their offices at the county seat.'

Section 3. Section 93-402, R.C.M. 1947, is amended to read as follows:

'93-402. [(8834)] Courts [where held] when open for business. A justice's court [may be held at any place selected by the justice holding the same, in the county for which he is elected or appointed, and such court] is always open for the transaction of business, except on legal holidays and nonjudicial days.", and renumber subsequent section to conform numerically, and

As amended, be concurred in.

(Material in brackets denotes cancelled type.)

YARDLEY, Vice-Chairman

Report adopted.

February 28, 1974

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 639, respectfully report as follows: That Senate Bill No. 639 be concurred in.

YARDLEY, Vice-Chairman

Report adopted.

REPORTS OF SELECT COMMITTEES

Free Joint Conference Committee Report

To the President of the Senate and the Speaker of the House:

We, your Free Joint Senate and House Conference Committee met February 20, 1974 and considered Senate Committee on Public Health, Welfare and Safety Amendments to House Bill No. 822, dated February 6, and February 9, 1974, and recommend as follows:

That the House accede to the Senate Amendments to Section 1 of House Bill No. 822, and

That the Senate recede from its amendment to Section 2 of House Bill No. 822 and in lieu thereof agree to the following amendment to Section 2 of House Bill No. 822:

"Section 2. A person who by reasons of physical disability is unable to move about

as a pedestrian may operate a self propelled wheelchair or similar vehicle, during daylight hours, on the streets of a city or town. When operated on public streets, such vehicles must display the slow moving equipment emblem required in section 32-21-130(1), or be equipped with a windwhip displaying a red flag."

That the House accede to the following amendment to Section 2 of House Bill No. 822:

"Section 2. A person who by reasons of physical disability is unable to move about as a pedestrian may operate a self-propelled wheelchair or similar vehicle, during daylight hours, on the streets of a city or town. When operated on public streets, such vehicles must display the slow moving equipment emblem required in section 32-21-130(1), or be equipped with a windwhip displaying a red flag."

And that House Bill No. 822 as so amended, be concurred in.

FOR THE SENATE:

McDONALD

HALL

COCHRANE

FOR THE HOUSE:

DRISCOLL

FLYNN

AAGESON

REPORTS OF STANDING COMMITTEES

February 28, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly enrolled: House Bill No. 386, House Bill No. 654, House Bill No. 662, House Bill No. 678, House Bill No. 725, House Bill No. 870, House Bill No. 988.

QUILICI, Chairman

February 28, 1974

The following bills will be signed on adjournment on February 28, 1974, in the office of the Speaker of the House of Representatives: House Bill No. 386, House Bill No. 654, House Bill No. 662, House Bill No. 678, House Bill No. 725, House Bill No. 870, House Bill No. 988.

EDWIN A. SMITH, Chief Clerk
House of Representatives

February 28, 1974

I have examined House Bill No. 725 introduced by me and find the same to be correct.

BARDANOUE

February 28, 1974

I have examined House Bill No. 662 introduced by me and find the same to be correct.

GREELY

February 28, 1974

I have examined House Bill No. 988 introduced by me and find the same to be correct.

MENAHAN

February 28, 1974

I have examined House Bill No. 654 introduced by me and find the same to be correct.

LYNCH

February 28, 1974

I have examined House Bill No. 870 introduced by me and find the same to be correct.

STEPHENS

February 28, 1974

I have examined House Bill No. 386 introduced by me and find the same to be correct.

MARBUT

February 28, 1974

I have examined House Bill No. 678 introduced by me and find the same to be correct.

COX

MOTIONS

Swanberg moved that the Speaker be authorized to appoint a Conference Committee to meet with a like committee from the Senate on Senate Amendments to House Bill No. 843.

Motion carried.

Swanberg moved that the Speaker be authorized to appoint a Free Conference Committee to meet with a like committee from the Senate on House Amendments to Senate Bill No. 489.

Motion carried.

UNFINISHED BUSINESS

The Speaker announced the following Conference Committee change on Senate Bill No. 459: Zimmer replaced by Regan.

Swanberg moved that the House adjourn until 1:30 p.m., March 1, 1974.

Motion carried.

House adjourned.

HAROLD E. GERKE, Speaker

EDWIN A. SMITH, Chief Clerk

House Journal
(vol. 2)

MONTANA

COUNCIL

HOUSE JOURNAL
OF THE
Forty-Third Legislature
OF THE
STATE OF MONTANA

VOLUME 2

Held at Helena, the seat of Government of Said State,
Commencing in Second Regular Session January 7, 1974, and
Ending March 16, 1974.

HAROLD GERKE
Speaker of the House

Edwin A. Smith
Chief Clerk of the House

Linda Barrett
Journal Clerk

PUBLISHED BY AUTHORITY

Helena, Montana
March 1, 1974

House Chambers
Capitol Building

House convened at 1:30 p.m., Mr. Speaker in the Chair.

Invocation by the Chaplain.

Pledge of Allegiance to the Flag.

Roll call. All members present except Fagg, Hall, Holtz, Hubing, Lockrem, Mercer, Rolfe, Seifert and Zimmer, all excused.

Quorum present.

Mr. Speaker: We, your Committee on Bills and Journal, having examined the daily journal for the Forty-sixth Legislative Day, find the same to be correct.

QUILICI, Chairman

REPORTS OF STANDING COMMITTEES

February 28, 1974
reported March 1, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills considered correctly engrossed: House Bill No. 1117, House Bill No. 1119.

QUILICI, Chairman

March 1, 1974

The following bills will be signed on adjournment on March 1, 1974, in the office of the Speaker of the House of Representatives: Senate Bill No. 585, Senate Bill No. 590, Senate Bill No. 605, Senate Bill No. 606, Senate Bill No. 704.

EDWIN A. SMITH, Chief Clerk
House of Representatives

March 1, 1974

The following bills were signed in the office of the Speaker of the House of Representatives on February 28, 1974: House Bill No. 386, House Bill No. 654, House Bill No. 662, House Bill No. 678, House Bill No. 725, House Bill No. 870, House Bill No. 988, Senate Bill No. 474, Senate Bill No. 569, Senate Bill No. 584, Senate Bill No. 653.

EDWIN A. SMITH, Chief Clerk
House of Representatives

March 1, 1974

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bill No. 213, House Bill No. 625, House Bill No. 772, House Bill No. 773, House Bill No. 780, House Bill No. 817, House Bill No. 858, House Bill No. 915, House Bill No. 925, House Bill No. 946, House Bill No. 989, House Bill No. 1008, do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day, at the hour of 10:40 o'clock, a.m., delivered to the Governor for his approval.

QUILICI, Chairman

March 1, 1974

Mr. Speaker: We, your Committee on Finance and Claims, having had under consideration Senate Bill No. 493, respectfully report as follows: That Senate Bill No. 493 be concurred in.

BARDANOUE, Chairman



Report adopted.

February 28, 1974

Mr. Speaker: We, your Committee on Highways and Transportation, having had under consideration Senate Bill No. 526, respectfully report as follows: That Senate Bill No. 526 be concurred in.

LAAS, Chairman

Report adopted.

February 28, 1974

Mr. Speaker: We, your Committee on Highways and Transportation, having had under consideration Senate Bill No. 577, respectfully report as follows: That Senate Bill No. 577 be concurred in.

LAAS, Chairman

Report adopted.

February 28, 1974

Mr. Speaker: We, your Committee on Highways and Transportation, having had under consideration Senate Bill No. 676, respectfully report as follows: That Senate Bill No. 676 be concurred in.

LAAS, Chairman

Report adopted.

February 28, 1974

Mr. Speaker: We, your Committee on Highways and Transportation, having had under consideration Senate Joint Resolution No. 55, respectfully report as follows: That Senate Joint Resolution No. 55 be amended on page 1, line 18 following the words and punctuation "Whereas," by inserting the word: "some", and

As amended, be concurred in.

LAAS, Chairman

Report adopted.

March 1, 1974

Mr. Speaker: We, your Committee on Legislative Administration, recommend that the following be employed by the House of Representatives for the Second Regular Session of the 43rd Legislature at the beginning of business March 4, 1974:

Cara Bonhert	Page
Marilyn Gerstenberger	Page
Rosalie Stimatz	Page
Deborah Talbot	Page

At the beginning of business March 7, 1974 the following also be employed:

Lynnette Goldsworthy	Page
Linda Gunderson	Page
Kathy Hauf	Page
Bruce Miller	Page

At the close of business March 2, 1974 the following be terminated:

Connie Cash	Page
Jacalyn Jensen	Page
Don Miller	Page
Shelley Wuerl	Page

At the close of business March 6, 1974 the following be terminated:

Margie Bukvich	Page
Beth Cumming	Page
John Fitzgerald	Page
Elaine Kolar	Page

EDLAND, Chairman

Report adopted.

Objection raised by Gunderson on adverse committee report on Senate Bill No. 731. Referred to Second Reading.

MESSAGES FROM THE OTHER HOUSE

February 28, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read three times and concurred in, titles and history agreed to and the said bills are herewith returned to the House:

House Bill No. 643 introduced by Brown, Zimmer and Jones

House Bill No. 664 introduced by Bardanouve

House Bill No. 702 introduced by Lockrem

House Bill No. 916 introduced by Kimble, Edland, et al

House Bill No. 927 introduced by Baeth, Schye, et al

House Bill No. 939 introduced by Murphy and Aageson

House Bill No. 942 introduced by Lynch, Quilici, et al

House Bill No. 954 introduced by Baeth, Schye, et al

House Bill No. 1060 introduced by Yardley

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

February 28, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read three times and concurred in as amended, titles and history agreed to and the said bills are herewith returned to the House for concurrence in Senate amendments:

House Bill No. 635 introduced by Roberts

House Bill No. 671 introduced by Menahan and Flynn

House Bill No. 928 introduced by Lynch and McKittrick

Respectfully,

JOHN N. HANSON
Secretary of the Senate

February 28, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day on Committee reports, not concurred in, reports adopted, and the said bills are herewith returned to the House:

House Bill No. 224 introduced by Hall

House Bill No. 461 introduced by Baucus, Haines, et al

House Bill No. 820 introduced by Hodges, Greely and Staigmilller

House Bill No. 929 introduced by Gunderson, Murphy, et al

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

February 28, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House amendments to Senate bills were this day concurred in by the Senate:

House amendments to Senate Bill No. 534

House amendments to Senate Bill No. 668

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

February 28, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate acceded to the request of the House and authorized the President to appoint a Conference Committee to meet with a like committee of the House to confer on Senate amendments to House Bill No. 789.

The President appointed the following members:

Senator Bollinger, Chairman
Senator Drake
Senator Zody

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

February 28, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate acceded to the request of the House and authorized the President to appoint a Free Conference Committee to meet with a like committee of the House to confer on House Bill No. 233.

The President appointed the following members:

Senator Graham, Chairman
Senator Carl
Senator McOmber

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

MOTIONS

Ellerd moved that the Journal and voting records for the Forty-sixth Legislative

Day be corrected and show him as voting Aye on Third Reading of Senate Bill No. 525.

Motion carried.

THIRD READING OF BILLS

The following bills and resolutions having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 1117 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Barrett, Bell, Bennetts, Bradley, Brown, Burnett, Campbell, Castles, Clemow, Cotton, Cox, Driscoll, Edland, Ellerd, Fasbender, Fleming, Flynn, Forsgren, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Jones, Kendall, Kessner, Kimble, Kolstad, Laas, Lee, Lien, Lombardi, Lucas, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Olson, Quilici, Regan, Roberts, Schepens, Schye, Selstad, Shelden, Staigmilller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 76.

Noes: None.

Excused: Fagg, Hall, Holtz, Hubing, Lockrem, Mercer, Rolfe, Seifert, Zimmer. Total 9.

Absent or not voting: Bardanouve, Baucus, Brand, Colberg, East, Galt, Huennekens, Jacobsen, Johnston, Kosena, Kvaalen, Lund, Norman, Prevost, Smith. Total 15.

House Bill No. 1119 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Barrett, Bell, Bennetts, Bradley, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, Edland, Ellerd, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kvaalen, Laas, Lee, Lien, Lombardi, Lucas, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Norman, Olson, Quilici, Regan, Roberts, Schepens, Schye, Selstad, Shelden, Smith, Staigmilller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 84.

Noes: None.

Excused: Fagg, Hall, Holtz, Hubing, Lockrem, Mercer, Rolfe, Seifert, Zimmer. Total 9.

Absent or not voting: Bardanouve, Baucus, Brand, East, Kosena, Lund, Prevost. Total 7.

Senate Bill No. 522 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Schepens, Schye, Selstad, Shelden, Smith, Staigmilller, Stephens, Stoltz, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 88.

Noes: Burnett, Swanberg. Total 2.

Excused: Fagg, Hall, Holtz, Hubing, Lockrem, Mercer, Rolfe, Seifert, Zimmer. Total 9.

Absent or not voting: Brand. Total 1.

House Bill No. 546 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjørnson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Schepens, Schye, Selstad, Shelden, Smith, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 89.

Noes: None.

Excused: Fagg, Hall, Holtz, Hubing, Lockrem, Mercer, Rolfe, Seifert, Zimmer. Total 9.

Absent or not voting: Brand, Greely. Total 2.

Senate Bill No. 581 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjørnson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Schepens, Schye, Selstad, Shelden, Smith, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 90.

Noes: None.

Excused: Fagg, Hall, Holtz, Hubing, Lockrem, Mercer, Rolfe, Seifert, Zimmer. Total 9.

Absent or not voting: Greely. Total 1.

Senate Bill No. 654 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjørnson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Schepens, Schye, Selstad, Shelden, Smith, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Watt, Yardley, Mr. Speaker. Total 89.

Noes: None.

Excused: Fagg, Hall, Holtz, Hubing, Lockrem, Mercer, Rolfe, Seifert, Zimmer. Total 9.

Absent or not voting: Ellerd, Warfield. Total 2.

Senate Bill No. 691 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjørnson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fasbender, Fleming, Flynn, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Huennekens, Jacobsen, Johnston, Jones, Kendall,

Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lombardi, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Schepens, Selstad, Shelden, Smith, Staigmilller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Mr. Speaker. Total 86.

Noes: Burnett, Lucas, Yardley. Total 3.

Excused: Fagg, Hall, Holtz, Hubing, Lockrem, Mercer, Rolfe, Seifert, Zimmer. Total 9.

Absent or not voting: Forsgren, Schye. Total 2.

Senate Bill No. 698 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Lee, Lien, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Schepens, Schye, Selstad, Shelden, Smith, Staigmilller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 89.

Noes: None.

Excused: Fagg, Hall, Holtz, Hubing, Lockrem, Mercer, Rolfe, Seifert, Zimmer. Total 9.

Absent or not voting: Castles, Laas. Total 2.

Senate Joint Resolution No. 66 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bradley, Brown, Burnett, Campbell, Castles, Cotton, Ellerd, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Johnston, Jones, Kessner, Kosena, Laas, Lee, Lombardi, Lucas, Lund, McKittrick, Manuel, Marbut, Mehrens, Menahan, Murphy, Norman, Quilici, Regan, Roberts, Schepens, Schye, Selstad, Shelden, Staigmilller, Stephens, Stoltz, Swanberg, Towe, Turman, Ulmer, Warfield, Watt, Mr. Speaker. Total 64.

Noes: Bennetts, Brand, Clemow, Colberg, Cox, Driscoll, East, Edland, Greely, Huennekens, Jacobsen, Kendall, Kimble, Kolstad, Kvaalen, Lien, Lundgren, Mann, Marks, Olson, Prevost, Smith, Tierney, Turner, Walborn, Yardley. Total 26.

Excused: Fagg, Hall, Holtz, Hubing, Lockrem, Mercer, Rolfe, Seifert, Zimmer. Total 9.

Absent or not voting: Lynch. Total 1.

Senate Amendments to House Bill No. 734 were concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Schepens, Schye, Selstad, Shelden, Smith, Staigmilller, Stephens, Stoltz, Swanberg, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 90.

Noes: Tierney. Total 1.

Excused: Fagg, Hall, Holtz, Hubing, Lockrem, Mercer, Rolfe, Seifert, Zimmer. Total 9.

Absent or not voting: None.

Senate Amendments to House Bill No. 846 were concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brown, Burnett, Campbell, Castles, Colberg, Cotton, Driscoll, Ellerd, Fasbender, Flynn, Forsgren, Galt, Glennen, Greely, Hageman, Haines, Halvorson, H. Harper, Healy, Hodges, Holmes, Huennekens, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Laas, Lee, Lien, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Mehrens, Menahan, Murphy, Norman, Olson, Quilici, Regan, Roberts, Schepens, Schye, Selstad, Shelden, Smith, Staigmillier, Stoltz, Swanberg, Towe, Turman, Turner, Ulmer, Walborn, Watt, Yardley, Mr. Speaker. Total 75.

Noes: Brand, Cox, East, Edland, Fleming, Gunderson, Hager, R. Harper, Jacobsen, Kvaalen, Marks, Prevost, Stephens, Tierney, Warfield. Total 15.

Excused: Fagg, Hall, Holtz, Hubing, Lockrem, Mercer, Rolfe, Seifert, Zimmer. Total 9.

Absent or not voting: Clemow. Total 1.

Senate Amendments to House Bill No. 947 were concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, East, Edland, Ellerd, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Laas, Lee, Lien, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Schepens, Schye, Selstad, Shelden, Smith, Staigmillier, Stephens, Stoltz, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 87.

Noes: Driscoll, Kvaalen, Tierney. Total 3.

Excused: Fagg, Hall, Holtz, Hubing, Lockrem, Mercer, Rolfe, Seifert, Zimmer. Total 9.

Absent or not voting: Swanberg. Total 1.

Senate Amendments to House Joint Resolution No. 56 were concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Castles, Clemow, Colberg, Cotton, Driscoll, Fleming, Flynn, Forsgren, Galt, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kimble, Kolstad, Kosena, Laas, Lee, Lien, Lombardi, Lucas, Lund, Lundgren, Mann, Manuel, Marbut, Marks, Menahan, Murphy, Norman, Olson, Prevost, Quilici, Roberts, Schepens, Schye, Shelden, Smith, Staigmillier, Stephens, Stoltz, Towe, Turman, Turner, Walborn, Warfield, Watt, Mr. Speaker. Total 71.

Noes: Brown, Campbell, Cox, East, Edland, Fasbender, Glennen, Kessner, Kvaalen, Lynch, McKittrick, Mehrens, Regan, Selstad, Swanberg, Tierney, Ulmer, Yardley. Total 18.

Excused: Fagg, Hall, Holtz, Hubing, Lockrem, Mercer, Rolfe, Seifert, Zimmer. Total 9.

Absent or not voting: Burnett, Ellerd. Total 2.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following bills were introduced, read first time and referred to committees:

House Bill No. 1121, introduced by Cox, Kvaalen, Bradley, Jacobsen, Turman: A bill for an act entitled: "An act to appropriate six hundred sixty-nine thousand seven hundred fifty dollars (\$669,750) from the General Fund to the Department of Intergovernmental Relations to be distributed to municipalities and counties for support of local government study commissions." Referred to Committee on Finance and Claims.

House Bill No. 1122, introduced by Kimble, Lund, Edland, Fleming, Johnston, Stoltz, Lien: A bill for an act entitled: "An act appropriating money to the Indian affairs unit of the Department of Intergovernmental Relations from the General Fund for additional staffing and administration for the biennium ending June 30, 1975." Referred to Committee on Finance and Claims.

SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)

Fasbender moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading under the rules of the previous sitting.

Motion carried.

Edland in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

March 1, 1974

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

Hubing present at this time.

That House Bill No. 829 be passed for the day.

That House Resolution No. 56 be not adopted. (45-35)

That Senate Bill No. 476 be concurred in. (72-0)

That Senate Bill No. 485 be concurred in. (71-1)

That Senate Bill No. 563 be concurred in. (69-6)

That Senate Bill No. 579 be passed for the day.

That Senate Bill No. 588 be concurred in. (67-1)

That Senate Bill No. 620 be concurred in. (75-0)

That Senate Bill No. 639 be concurred in. (80-2)

That Senate Bill No. 671 be amended in the title on page 1, line 11 by striking the punctuation: "." and adding the following new words: "and providing for an effective date." (75-0), and

Further amend by adding a new section following line 21, page 4 to read as follows: "Section 2. This act shall be effective upon passage and approval." (78-0), and

As amended, be concurred in. (83-0)

That Senate Bill No. 689 be concurred in. (74-13)

That Senate Joint Resolution No. 44 be concurred in. (79-2)

That Senate Joint Resolution No. 49 be not concurred in. (65-26)

That Senate Joint Resolution No. 52 be concurred in. (63-0)

That Senate Amendments to House Bill No. 586 be not concurred in. (49-31)

That Senate Amendments to House Bill No. 732 be not concurred in. (63-3)

That Senate Amendments to House Bill No. 781 be concurred in. (70-0)

That Senate Amendments to House Bill No. 922 be concurred in. (70-0)

That Conference Committee Report on House Bill No. 822 be passed for the day.

That the committee rise and report.

EDLAND, Chairman

Report adopted.

REPORTS OF STANDING COMMITTEES

March 1, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill correctly printed: House Bill No. 651.

QUILICI, Chairman

March 1, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills and resolutions correctly enrolled: House Bill No. 587, House Bill No. 592, House Bill No. 610, House Bill No. 711, House Bill No. 827, House Bill No. 828, House Bill No. 966, House Bill No. 1098, House Resolution No. 57, House Resolution No. 61, House Joint Resolution No. 52, House Joint Resolution No. 63.

QUILICI, Chairman

March 1, 1974

The following bills and resolutions will be signed on adjournment on March 1, 1974, in the office of the Speaker of the House of Representatives: House Bill No. 587, House Bill No. 592, House Bill No. 610, House Bill No. 711, House Bill No. 827, House Bill No. 828, House Bill No. 966, House Bill No. 1098, House Resolution No. 57, House Resolution No. 61, House Joint Resolution No. 52, House Joint Resolution No. 63.

EDWIN A. SMITH, Chief Clerk
House of Representatives

March 1, 1974

I have examined House Bill No. 1098 introduced by me and find the same to be correct.

LEE

March 1, 1974

I have examined House Joint Resolution No. 63 introduced by me and find the same to be correct.

LIEN

March 1, 1974

I have examined House Bill No. 610 introduced by me and find the same to be correct.

TURMAN

March 1, 1974

I have examined House Bill No. 966 introduced by me and find the same to be correct.

TURMAN

March 1, 1974

I have examined House Resolution No. 61 introduced by me and find the same to be correct.

FLEMING

March 1, 1974

I have examined House Bill No. 587 introduced by me and find the same to be correct.

HODGES

March 1, 1974

I have examined House Bill No. 711 introduced by me and find the same to be correct.

ROBERTS

March 1, 1974

I have examined House Resolution No. 57 introduced by me and find the same to be correct.

BRAND

March 1, 1974

I have examined House Bill No. 592 introduced by me and find the same to be correct.

MARBUT

March 1, 1974

I have examined House Bill No. 827 introduced by me and find the same to be correct.

TOWE

March 1, 1974

I have examined House Joint Resolution No. 52 introduced by me and find the same to be correct.

TIERNEY

March 1, 1974

I have examined House Bill No. 828 introduced by me and find the same to be correct.

TOWE

March 1, 1974

Mr. Speaker: We, your Committee on Local Government, having had under consideration Senate Bill No. 537, respectfully report as follows: That Senate Bill No. 537 be amended in Section 1, page 1, line 10 by omitting the word "No" and inserting in lieu thereof the word "Any", and

Amend Section 1, page 1, line 12 by omitting the word "any" and inserting in lieu thereof the word "a", and

Amend Section 1, page 1, line 14 following the words "require the" by inserting the word "direct", and

Amend Section 1, page 1, lines 15 and 16 by omitting the words "shall be effective unless and until said law or an amendment thereto or separate act provides" and inserting in lieu thereof the words "must provide", and

Amend Section 1, page 1, line 21 by omitting the word "no" and inserting in lieu thereof the word "any", and

Amend Section 1, page 1, line 21 following the words "requirement in" by omitting the word "any", and

Amend Section 1, page 1, line 23 by omitting the words "shall be effective unless" and inserting in lieu thereof the words "must also provide", and

Amend Section 1, page 1, line 24 by omitting the word "is", and

Amend Section 1, page 1, line 24 by omitting the word "given", and

Amend Section 1, page 2, line 5 following the word and punctuation "facility." by inserting the following new sentence: "The local government unit may refuse to administer or enforce any law which does not comply with the requirements of this section if that law requires an expenditure that would require the local government unit to exceed its statutory levy authority.", and

Amend Senate Bill No. 537 by adding a new section on page 2 after the word and punctuation "expressly.": "Section 2. This act shall not apply to any law under which the required expenditure of additional local funds is incidental to the main purpose of the law.", and

As amended, be concurred in.

KOSENA, Chairman

Report adopted.

March 1, 1974

Mr. Speaker: We, your Committee on Rules, having had under consideration Senate Bill No. 568, respectfully report as follows: That Senate Bill No. 568 be amend as follows:

Amend the key line of the third reading copy, page 1, line 6 following the figure "82-4203.1" by inserting the punctuation and figure ", 82-4207", and

Amend the title of the third reading copy, page 1, line 11 following the figure "82-4203.1" by inserting the word and figure "and 82-4207", and

Further amend the third reading copy, page 3, following line 1 by inserting the following new section:

"Section 2. Section 82-4207, R.C.M. 1947, is amended to read as follows:

'82-4207. Petition for adoption of rules. An interested person or, when the legislature is not in session, a member of the legislature may petition an agency requesting that the promulgation, amendment or repeal of a rule. Each agency shall prescribe by rule the form for petitions and the procedure for their submission, consideration and disposition. Within sixty (60) days after submission of a petition, the agency either shall deny the petition in writing (stating its reasons for the denial) or shall initiate rule-making proceedings in accordance with section [4] 82-4204 [] of this act].", and

As amended, be concurred in.

(Material in brackets denotes cancelled type.)

FASBENDER, Chairman

Report adopted.

March 1, 1974

Mr. Speaker: We, your Committee on Rules, having had under consideration Senate Bill No. 682, respectfully report as follows: That Senate Bill No. 682 having been transmitted after the deadline; in order to be properly received under Joint Rules 6-34 will require an affirmative vote by two-thirds ($\frac{2}{3}$) of the members present and voting on motion to receive the bill.

FASBENDER, Chairman

Report adopted.

March 1, 1974

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 712, respectfully report as follows: That Senate Bill No. 712 be amended by striking the second amendment in the only undated House Judiciary Committee amendments to the third reading bill, and

Be further amended on page 2, Section 1, Subsection (g), lines 14, 15 and 16 of the third reading bill by striking all of Subsection (g) in its entirety and inserting in lieu thereof a new Subsection (g) to read as follows: "(g) to prohibit a student from registering if said student has unpaid parking assessments or fines outstanding resulting from on campus parking violations within the previous one (1) year.", and

As amended, be concurred in.

YARDLEY, Vice-Chairman

Report adopted.

March 1, 1974

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration Senate Bill No. 504, respectfully report as follows: That Senate Bill No. 504 be concurred in.

MEHRENS, Chairman

Report adopted.

March 1, 1974

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration Senate Bill No. 530, respectfully report as follows: That Senate Bill No. 530 be concurred in.

MEHRENS, Chairman

Report adopted.

March 1, 1974

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration Senate Bill No. 536, respectfully report as follows: That Senate Bill No. 536 be concurred in.

MEHRENS, Chairman

Report adopted.

March 1, 1974

Mr. Speaker: We, your Committee on Labor and Employment Relations, having had under consideration Senate Bill No. 544, respectfully report as follows: That Senate Bill No. 544 be not concurred in.

McKITTRICK, Chairman

March 1, 1974

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration Senate Bill No. 545, respectfully report as follows: That Senate Bill No. 545 be concurred in.

MEHRENS, Chairman

Report adopted.

March 1, 1974

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration Senate Bill No. 624, respectfully report as follows: That Senate Bill

No. 624 be amended in the third reading on page 2, Section 2, line 9 after the material "(1)" by omitting the word "shall" and inserting in lieu thereof the word "may", and

As amended, be concurred in.

MEHRENS, Chairman

Report adopted.

March 1, 1974

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration Senate Bill No. 648, respectfully report as follows: That Senate Bill No. 648 be concurred in.

MEHRENS, Chairman

Report adopted.

March 1, 1974

Mr. Speaker: We, your Committee on Rules, having had under consideration Senate Joint Resolution No. 56, respectfully report as follows: That Senate Joint Resolution No. 56 be not concurred in.

FASBENDER, Chairman

March 1, 1974

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration Senate Joint Resolution No. 59, respectfully report as follows: That Senate Joint Resolution No. 59 be concurred in.

MEHRENS, Chairman

Report adopted.

March 1, 1974

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Bill No. 799, respectfully report as follows: That House Bill No. 799 do pass.

MEHRENS, Chairman

Report adopted.

REPORTS OF SELECT COMMITTEES

Free Joint Conference Committee Report Senate Bill No. 660

To the President of the Senate and the Speaker of the House:

We, your Free Joint Senate and House Conference Committee, met March 1, 1974, and considered House Committee on Education amendments dated February 19, 1974, and House Committee of the Whole amendments dated February 22, 1974, to Senate Bill No. 660, and recommend as follows:

That the Senate accede to the House Amendments to Senate Bill No. 660, and

That Senate Bill No. 660, as so amended, be concurred in.

FOR THE SENATE:

GILFEATHER
MATHERS
BOYLAN

Report adopted.

FOR THE HOUSE:

GUNDERSON
WARFIELD
STOLTZ

Free Joint Conference Committee Report Senate Bill No. 661

To the President of the Senate and the Speaker of the House:

We, your Free Joint Senate and House Conference Committee, met March 1, 1974, and considered House Committee on Education amendments dated February 19, 1974, to Senate Bill No. 661, and recommend as follows:

That the Senate accede to the House Amendments to Senate Bill No. 661, and

That Senate Bill No. 661 be further amended in Section 1, Subsection (1)(j)(iii), page 7, line 14, after the word "school" by omitting the following words: "district of the previous year", and

That Senate Bill No. 661 as so amended, be concurred in.

FOR THE SENATE:

GILFEATHER
MATHERSWARFIELD
BOYLAN

FOR THE HOUSE:

GUNDERSON
STOLTZ

Report adopted.

Free Joint Conference Committee Report
Senate Bill No. 662

To the President of the Senate and the Speaker of the House:

We, your Free Joint Senate and House Conference Committee, met March 1, 1974, and considered House Committee on Education amendments dated February 19, 1974, and House Committee of the Whole amendments dated February 20, 1974, and February 22, 1974, to Senate Bill No. 662, and recommend as follows:

That the Senate accede to the House Amendments to Senate Bill No. 662, and

That Senate Bill No. 662, as so amended, be concurred in.

FOR THE SENATE:

GILFEATHER
MATHERS
BOYLAN

FOR THE HOUSE:

GUNDERSON
WARFIELD
STOLTZ

Report adopted.

MOTIONS

Fasbender moved that the Speaker be authorized to appoint a Conference Committee to meet with a like committee from the Senate on Senate Amendments to House Bill No. 586.

Motion carried.

Fasbender moved that the Speaker be authorized to appoint a Free Conference Committee to meet with a like committee from the Senate on Senate Amendments to House Bill No. 732.

Motion carried.

UNFINISHED BUSINESS

The Speaker has appointed the following Free Conference Committee to meet with a like committee from the Senate on Senate Bill No. 489: Flynn, Chairman; Bennetts and Tierney.

The Speaker has appointed the following Conference Committee to meet with a like committee from the Senate on Senate Amendments to House Bill No. 843: Kimble, Chairman; McKittrick and H. Harper.

Fasbender moved that the House adjourn until 12:00 noon, March 2, 1974.

Motion carried.

House adjourned.

HAROLD E. GERKE, Speaker

EDWIN A. SMITH, Chief Clerk

FORTY-EIGHTH LEGISLATIVE DAY

Helena, Montana
March 2, 1974

House Chambers
Capitol Building

House convened at 12:00 noon, Mr. Speaker in the Chair.

Invocation by the Chaplain.

Pledge of Allegiance to the Flag.

Roll call. All members present except Baucus, Brown, Driscoll, Ellerd, Fagg, Hall, Holtz, Hubing, Mercer, Rolfe, Seifert, Walborn, and Zimmer, all excused.

Quorum present.

Mr. Speaker: We, your Committee on Bills and Journal, having examined the daily journal for the Forty-seventh Legislative Day, find the same to be correct.

QUILICI, Chairman

REPORTS OF STANDING COMMITTEES

March 1, 1974
reported March 2, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill correctly enrolled: House Bill No. 846.

FLEMING, Vice-Chairman

March 2, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly printed: House Bill No. 799, House Bill No. 906.

FLEMING, Vice-Chairman

March 2, 1974

The following bills and resolutions were signed in the office of the Speaker of the House of Representatives on March 1, 1974: House Bill No. 587, House Bill No. 592, House Bill No. 610, House Bill No. 711, House Bill No. 827, House Bill No. 828, House Bill No. 846, House Bill No. 966, House Bill No. 1098, House Resolution No. 57, House Resolution No. 61, House Joint Resolution No. 52, House Joint Resolution No. 63, Senate Bill No. 585, Senate Bill No. 590, Senate Bill No. 605, Senate Bill No. 606, Senate Bill No. 704.

EDWIN A. SMITH, Chief Clerk
House of Representatives

March 1, 1974
reported March 2, 1974

The following bill will be signed on adjournment on March 1, 1974, in the office of the Speaker of the House of Representatives: House Bill No. 846.

EDWIN A. SMITH, Chief Clerk
House of Representatives

March 1, 1974
reported March 2, 1974

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bill

No. 846, do hereby report that said bill, together with a copy thereof, signed by the Speaker of the House and President of the Senate, was this day, at the hour of 5:00 o'clock, p.m. delivered to the Governor for his approval.

FLEMING, Chairman

March 2, 1974

Mr. Speaker: We, your Committee on Finance and Claims, having had under consideration House Bill No. 1105, respectfully report as follows: That House Bill No. 1105 do pass.

BARDANOUE, Chairman

Report adopted.

MESSAGES FROM THE OTHER HOUSE

March 1, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills and House Joint Resolution were this day read third time and concurred in, titles and history agreed to, and the said bills and resolution are herewith returned to the House:

House Bill No. 742 introduced by Greely and Fasbender

House Bill No. 783 introduced by Quilici, Flynn, et al

House Bill No. 793 introduced by Healy, Gerke, and Tierney

House Bill No. 857 introduced by Bennetts, H. Harper, et al

House Joint Resolution No. 53 introduced by Aageson, Tierney, et al

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

March 1, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read third time and concurred in as amended, titles and history agreed to, and the said bills are herewith returned to the House for concurrence in Senate amendments:

House Bill No. 661 introduced by Fasbender

House Bill No. 802 introduced by Norman

House Bill No. 879 introduced by Kendall, Kosena, et al

House Bill No. 888 introduced by Swanberg

House Bill No. 938 introduced by Murphy and Aageson

House Bill No. 940 introduced by Murphy and Aageson

House Bill No. 1021 introduced by Lynch, Menahan, et al

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

March 1, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day on Committee reports, not concurred in, reports adopted, and the said bills are herewith returned to the House:

House Bill No. 613 introduced by the Committee on Local Government

House Bill No. 726 introduced by Bardanouve

House Bill No. 978 introduced by Turman and Kendall

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

March 1, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Free Conference Committee report on House Bill No. 822 was on Committee of the Whole, not concurred in, report adopted, and the President was authorized to appoint a new Free Conference Committee, and respectfully requests the House to appoint a like committee to confer on House Bill No. 822.

The President appointed the following members:

Senator McDonald, Chairman
Senator Hall
Senator Cochrane

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

March 1, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day failed to concur in House amendments to Senate Bill No. 524, the President was authorized to appoint a Conference Committee, and the Senate respectfully requests the House to appoint a like committee to confer on House amendments to Senate Bill No. 524.

The President appointed the following members:

Senator Hall, Chairman
Senator DeWolfe
Senator Hazelbaker

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

MOTIONS

Gunderson moved that Senate Bill No. 731 be taken from Second Reading and re-referred to the Committee on Education.

Motion carried.

Towe moved that the House accept Senate Bill No. 682 for introduction.

Motion carried. (53-24)

Fasbender moved that the Speaker be authorized to appoint a new Free Conference Committee to meet with a like committee from the Senate on House Bill No. 822.

Motion carried.

Fasbender moved that the Speaker be authorized to appoint a Conference Committee to meet with a like committee from the Senate on House Amendments to Senate Bill No. 524.

Motion carried.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following resolutions were introduced, read first time and referred to committees:

House Resolution No. 67, introduced by Halvorson, Kimble, Fleming, Burnett: A Resolution of the House of Representatives of the State of Montana urging Congress to build an interpretive center at the bison range at Moiese, Montana. Referred to Committee on Fish and Game.

House Resolution No. 68, introduced by R. Harper, Mehrens, Quilici, Stoltz, Staigmiller, Hodges, Fleming, Kosena, Gunderson, McKittrick, Lee, Greely, Regan, Holmes, Manuel, Stephens, Murphy, Laas, Cotton, Hageman, Kimble, Baeth, Shelden, Lombardi, Healy, Menahan, Lynch, Driscoll, Colberg, Towe: A Resolution of the House of Representatives of the State of Montana requesting the National Cost of Living Council to do a cost of living comparison, especially relating to food, and rent prices, among Helena and various other cities for the period of three (3) months prior to the convening of the legislature, during the legislature, and for the period three (3) months after the adjournment of the legislature. Referred to Committee on State Administration.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

Senate Bill No. 476 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Bell, Bradley, Brand, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, East, Edland, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Schepens, Schye, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 86.

Noes: None.

Excused: Baucus, Brown, Driscoll, Ellerd, Fagg, Hall, Holtz, Hubing, Mercer, Rolfe, Seifert, Walborn, Zimmer. Total 13.

Absent or not voting: Bennetts. Total 1.

Senate Bill No. 485 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Barrett, Bell, Bennetts, Bradley, Brand, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, East, Edland, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Schepens, Schye, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 86.

Noes: None.

Excused: Baucus, Brown, Driscoll, Ellerd, Fagg, Hall, Holtz, Hubing, Mercer, Rolfe, Seifert, Walborn, Zimmer. Total 13.

Absent or not voting: Bardanouve. Total 1.

Senate Bill No. 563 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Bell, Bennetts, Brand, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, East, Edland, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Schepens, Schye, Selstad, Shelden, Smith, Staigmilller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Watt, Mr. Speaker. Total 84.

Noes: Bradley. Total 1.

Excused: Baucus, Brown, Driscoll, Ellerd, Fagg, Hall, Holtz, Hubing, Mercer, Rolfe, Seifert, Walborn, Zimmer. Total 13.

Absent or not voting: Warfield, Yardley. Total 2.

Senate Bill No. 588 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Bell, Bennetts, Bradley, Brand, Burnett, Campbell, Castles, Colberg, Cotton, Cox, East, Edland, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Schepens, Selstad, Shelden, Smith, Staigmilller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 85.

Noes: None.

Excused: Baucus, Brown, Driscoll, Ellerd, Fagg, Hall, Holtz, Hubing, Mercer, Rolfe, Seifert, Walborn, Zimmer. Total 13.

Absent or not voting: Clemow, Schye. Total 2.

Senate Bill No. 620 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Bell, Bennetts, Bradley, Campbell, Castles, Clemow, Colberg, Cotton, Edland, Fasbender, Fleming, Flynn, Forsgren, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Mehrens, Menahan, Murphy, Norman, Olson, Quilici, Regan, Roberts, Schepens, Schye, Shelden, Staigmilller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Watt, Yardley, Mr. Speaker. Total 75.

Noes: Brand, Burnett, East, Galt, Kolstad, Mann, Marks, Prevost, Selstad, Smith, Warfield. Total 11.

Excused: Baucus, Brown, Driscoll, Ellerd, Fagg, Hall, Holtz, Hubing, Mercer, Rolfe, Seifert, Walborn, Zimmer. Total 13.

Absent or not voting: Cox. Total 1.

Senate Bill No. 639 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Bell, Bennetts, Bradley, Brand, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, East, Edland, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas,

Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Norman, Prevost, Quilici, Regan, Roberts, Schepens, Schye, Selstad, Shelden, Smith, Staigmillier, Stephens, Stoltz, Tierney, Towe, Turman, Turner, Warfield, Watt, Yardley, Mr. Speaker. Total 83.

Noes: Ulmer. Total 1.

Excused: Baucus, Brown, Driscoll, Ellerd, Fagg, Hall, Holtz, Hubing, Mercer, Rolfe, Seifert, Walborn, Zimmer. Total 13.

Absent or not voting: Cox, Olson, Swanberg. Total 3.

Senate Bill No. 671 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Bell, Bennetts, Bradley, Brand, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, East, Edland, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosen, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Schepens, Schye, Selstad, Shelden, Smith, Staigmillier, Stephens, Stoltz, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 86.

Noes: Swanberg. Total 1.

Excused: Baucus, Brown, Driscoll, Ellerd, Fagg, Hall, Holtz, Hubing, Mercer, Rolfe, Seifert, Walborn, Zimmer. Total 13.

Absent or not voting: None.

Senate Bill No. 689 was concurred in by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Barrett, Bell, Bennetts, Bradley, Brand, Castles, Colberg, Cotton, Cox, Edland, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kimble, Kolstad, Kosen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Norman, Prevost, Quilici, Regan, Roberts, Schepens, Schye, Shelden, Staigmillier, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 74.

Noes: Ainsworth, Burnett, Campbell, Clemow, Kvaalen, Mann, Olson, Selstad, Smith, Stephens. Total 10.

Excused: Baucus, Brown, Driscoll, Ellerd, Fagg, Hall, Holtz, Hubing, Mercer, Rolfe, Seifert, Walborn, Zimmer. Total 13.

Absent or not voting: Bardanouve, East, Kessner. Total 3.

Senate Joint Resolution No. 44 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Bell, Bennetts, Bradley, Brand, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, East, Edland, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosen, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Schepens, Schye, Selstad, Shelden, Smith, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Warfield, Watt, Yardley, Mr. Speaker. Total 85.

Noes: None.

Excused: Baucus, Brown, Driscoll, Ellerd, Fagg, Hall, Holtz, Hubing, Mercer, Rolfe, Seifert, Walborn, Zimmer. Total 13.

Absent or not voting: Turner, Ulmer. Total 2.

Senate Joint Resolution No. 52 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Baeth, Bardanouve, Barrett, Bell, Bennetts, Bradley, Brand, Campbell, Castles, Clemow, Colberg, Cotton, Cox, East, Edland, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Schepens, Schye, Shelden, Smith, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 83.

Noes: Asbjornson, Burnett. Total 2.

Excused: Baucus, Brown, Driscoll, Ellerd, Fagg, Hall, Holtz, Hubing, Mercer, Rolfe, Seifert, Walborn, Zimmer. Total 13.

Absent or not voting: Selstad, Turner. Total 2.

Senate Amendments to House Bill No. 781 were concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Bell, Bennetts, Bradley, Brand, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, East, Edland, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Schepens, Schye, Selstad, Shelden, Smith, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 86.

Noes: None.

Excused: Baucus, Brown, Driscoll, Ellerd, Fagg, Hall, Holtz, Hubing, Mercer, Rolfe, Seifert, Walborn, Zimmer. Total 13.

Absent or not voting: Lee. Total 1.

Senate Amendments to House Bill No. 922 were concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Bell, Bennetts, Bradley, Brand, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, East, Edland, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Schepens, Schye, Selstad, Shelden, Smith, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 87.

Noes: None.

Excused: Baucus, Brown, Driscoll, Ellerd, Fagg, Hall, Holtz, Hubing, Mercer, Rolfe, Seifert, Walborn, Zimmer. Total 13.

Absent or not voting: None.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Fasbender moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading under the rules of the previous sitting.

Motion carried.

Hager in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

March 2, 1974

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That House Bill No. 651 be passed for the day.

That House Bill No. 829 be passed for the day.

That Senate Bill No. 493 be concurred in. (77-0)

That Senate Bill No. 504 be concurred in. (74-1)

That Senate Bill No. 526 be concurred in. (74-2)

That Senate Bill No. 530 be concurred in. (71-0)

That Senate Bill No. 536 be concurred in. (73-0)

That Senate Bill No. 537 be concurred in. (79-1)

That Senate Bill No. 545 be concurred in. (73-0)

That Senate Bill No. 568 be concurred in. (73-0)

That Senate Bill No. 577 be concurred in. (70-10)

That Senate Bill No. 579 be placed below Senate Bill No. 648 on the board.

That Senate Bill No. 624 be concurred in. (71-0)

That Senate Bill No. 648 be concurred in. (74-1)

That Senate Bill No. 579 be passed to the bottom of the board.

That Senate Bill No. 676 be concurred in. (71-1)

That Senate Bill No. 712 be amended in Section 1, Standing Committee Report, dated March 1, 1974, by inserting the words "motor vehicle or" after the words "on campus" in the next to the last line of said committee amendments (65-2), and

As amended, be concurred in. (53-26)

That Senate Joint Resolution No. 55 be concurred in. (59-8)

That Senate Joint Resolution No. 59 be concurred in. (68-6)

That Senate Amendments to House Bill No. 635 be concurred in. (73-1)

That Senate Amendments to House Bill No. 671 be concurred in. (68-0)

That Senate Amendments to House Bill No. 928 be concurred in. (61-0)

That the Conference Committee Report on Senate Bill No. 660 be adopted. (73-0)

That the Conference Committee Report on Senate Bill No. 661 be adopted. (74-0)

That the Conference Committee Report on Senate Bill No. 662 be adopted. (66-0)

That the Conference Committee Report on House Bill No. 822 be not adopted. (69-1)

Fagg present at this time.

That Senate Bill No. 579 be concurred in. (69-11)

That the committee rise and report.

HAGER, Chairman

Report adopted.

REPORTS OF STANDING COMMITTEES

March 2, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills and resolutions correctly enrolled: House Bill No. 577, House Bill No. 664, House Bill No. 686, House Bill No. 702, House Bill No. 788, House Bill No. 813, House Bill No. 852, House Bill No. 942, House Bill No. 954, House Bill No. 1060, House Resolution No. 58, House Joint Resolution No. 56.

QUILICI, Chairman

March 2, 1974

The following bills and resolutions will be signed on adjournment on March 2, 1974, in the office of the Speaker of the House of Representatives: House Bill No. 577, House Bill No. 664, House Bill No. 686, House Bill No. 702, House Bill No. 788, House Bill No. 813, House Bill No. 852, House Bill No. 942, House Bill No. 954, House Bill No. 1060, House Resolution No. 58, House Joint Resolution No. 56, Senate Bill No. 463, Senate Bill No. 523, Senate Bill No. 535, Senate Bill No. 540, Senate Bill No. 566.

EDWIN A. SMITH, Chief Clerk
House of Representatives

March 2, 1974

I have examined House Joint Resolution No. 56 introduced by me and find the same to be correct.

WARFIELD

March 2, 1974

I have examined House Bill No. 664 introduced by me and find the same to be correct.

BARDANOUVE

March 2, 1974

I have examined House Bill No. 1060 introduced by me and find the same to be correct.

YARDLEY

March 2, 1974

I have examined House Bill No. 852 introduced by me and find the same to be correct.

JACOBSEN

March 2, 1974

I have examined House Bill No. 942 introduced by me and find the same to be correct.

LYNCH

March 2, 1974

I have examined House Resolution No. 58 introduced by me and find the same to be correct.

KOSENA

March 2, 1974

I have examined House Bill No. 954 introduced by me and find the same to be correct.

BAETH

March 2, 1974

I have examined House Bill No. 788 introduced by me and find the same to be correct.

REGAN

March 2, 1974

I have examined House Bill No. 813 introduced by me and find the same to be correct.

GLENNEN

March 2, 1974

I have examined House Bill No. 702 introduced by me and find the same to be correct.

LOCKREM

March 2, 1974

I have examined House Bill No. 686 introduced by me and find the same to be correct.

TOWE

March 2, 1974

I have examined House Bill No. 577 introduced by me and find the same to be correct.

FASBENDER

March 2, 1974

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bill No. 654, House Bill No. 662, House Bill No. 678, House Bill No. 725, House Bill No. 870, House Bill No. 988, do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day, at the hour of 12:05 o'clock, p.m., delivered to the Governor for his approval.

QUILICI, Chairman

March 2, 1974

Mr. Speaker: We, your Committee on Finance and Claims, having had under consideration House Bill No. 1111, respectfully report as follows: That House Bill No. 1111 be amended as follows:

Amend the title of the introduced bill, lines 4 and 5 by omitting the words and figures "two hundred thousand dollars (\$200,000)" and inserting in lieu thereof the words and figures "fifty thousand dollars (\$50,000)", and

Further amend the title on line 6 by omitting the words and figures "for a two (2) year period", and

Further amend the title on line 8, following the word and punctuation "need;" by inserting the words "making the appropriation subject to the receipt of federal matching funds", and

Amend Section 1, line 11 following the word "appropriated" by inserting the words and punctuation ", subject to the receipt of federal matching funds.", and

Further amend Section 1, lines 11 and 12 by omitting the words and figures "two hundred thousand dollars (\$200,000)" and inserting in lieu thereof the words and figures "fifty thousand dollars (\$50,000)", and

Further amend Section 1, line 13 by omitting the word and figures "July 1, 1975" and inserting in lieu thereof the word and figures "June 30, 1975", and

As amended, do pass.

BARDANOUE, Chairman

Report adopted.

March 2, 1974

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration Senate Bill No. 542, respectfully report as follows: That Senate Bill No. 542 be concurred in.

LEE, Chairman

Report adopted.

March 2, 1974

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration Senate Bill No. 572, respectfully report as follows: That Senate Bill No. 572 be concurred in.

LEE, Chairman

Report adopted.

March 2, 1974

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration Senate Bill No. 573, respectfully report as follows: That Senate Bill No. 573 be amended in the title, on page 1, line 8 of the third reading copy of the bill, after the word "sight" by inserting the material: "and providing an effective date", and

Be further amended on page 2, after line 16 by adding a new Section 2 to read as follows: "Section 2. This act is effective on its passage and approval.", and

As amended, be concurred in.

LEE, Chairman

Report adopted.

March 2, 1974

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration Senate Bill No. 574, respectfully report as follows: That Senate Bill No. 574 be concurred in.

LEE, Chairman

Report adopted.

In accordance with the 24 hour rule, the adverse committee report on Senate Bill No. 544 was adopted by the following vote:

Ayes: Ainsworth, Asbjornson, Baeth, Bardanoue, Bell, Bennetts, Bradley, Brand, Campbell, Clemow, Cotton, East, Edland, Fasbender, Flynn, Forsgren, Glennen, Greely, Hageman, Hager, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Jacobsen, Johnston, Kendall, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Quilici, Regan, Schepens, Shelden, Smith, Staigmillier, Stephens, Stoltz, Tierney, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 68.

Noes: Aageson, Gunderson. Total 2.

Excused: Baucus, Brown, Driscoll, Ellerd, Hall, Holtz, Hubing, Mercer, Rolfe, Seifert, Walborn, Zimmer. Total 12.

Absent or not voting: Barrett, Burnett, Castles, Colberg, Cox, Fagg, Fleming, Galt, Haines, Huennekens, Jones, Kessner, Lund, Roberts, Schye, Selstad, Swanberg, Towe. Total 18.

In accordance with the 24 hour rule, the adverse committee report on Senate Joint Resolution No. 56 was not adopted by the following vote:

Ayes: Ainsworth, Baeth, Bardanouve, Bennetts, Campbell, Fasbender, Flynn, Gunderson, Hageman, Halvorson, Healy, Jacobsen, Johnston, Kimble, Kolstad, Kosena, Laas, Lee, Lien, Lombardi, Lynch, Marbut, Mehrens, Menahan, Norman, Quilici, Regan, Shelden, Stephens, Stoltz, Turman, Warfield, Watt, Yardley. Mr. Speaker. Total 35.

Noes: Aageson, Asbjørnson, Bell, Bradley, Brand, Castles, Clemow, Cotton, Cox, East, Forsgren, Glennen, Greely, Hager, H. Harper, R. Harper, Hodges, Holmes, Kendall, Kvaalen, Lockrem, Lucas, Lund, Lundgren, McKittrick, Mann, Manuel, Marks, Olson, Schepens, Smith, Staigmillier, Tierney, Towe, Turner, Ulmer. Total 36.

Excused: Baucus, Brown, Driscoll, Ellerd, Hall, Holtz, Hubing, Mercer, Rolfe, Seifert, Walborn, Zimmer. Total 12.

Absent or not voting: Barrett, Burnett, Colberg, Edland, Fagg, Fleming, Galt, Haines, Huennekens, Jones, Kessner, Murphy, Prevost, Roberts, Schye, Selstad, Swanberg. Total 17.

March 2, 1974

Mr. Speaker: We, your Committee on Natural Resources, having had under consideration Senate Bill No. 434, respectfully report as follows: That Senate Bill No. 434 be amended in the Senate Third Reading Bill as follows:

Be amended on page 2, Section 1, line 24 by omitting the word "and" and inserting in lieu thereof the word "or", and

Be further amended on page 9, Section 5, lines 24 and 25 by reinstating the stricken material "of one thousand dollars (\$1,000.00)", and on line 25 and line 1 on page 10 by omitting the underlined material which reads as follows: "set by the board and not to exceed two thousand five hundred dollars (\$2,500)", and

Be further amended on page 10, Section 5, lines 4 through 12 by striking all of the underlined material contained therein, and

As amended, be concurred in.

BRADLEY, Vice-Chairman

Report adopted.

March 2, 1974

Mr. Speaker: We, your Committee on Natural Resources, having had under consideration Senate Bill No. 650, respectfully report as follows: That Senate Bill No. 650 be amended in the Senate Third Reading Bill as follows:

Be amended on page 7, Section 4, Subsection (2), lines 12 through 14 by omitting the words "and the county in which the point of diversion or place of use is located", and

Be further amended on page 8, Section 4, Subsection (3), line 3 by omitting "89-891" and inserting in lieu thereof "89-881", and

As amended, be concurred in.

BRADLEY, Vice-Chairman

Report adopted.

REPORTS OF SELECT COMMITTEES

Senate Bill No. 508

Joint Conference Committee Report

Mr. President and Speaker of the House:

We, your Joint Senate and House Conference Committee on Senate Bill No. 508, beg leave to report as follows:

That we met this day and considered the House Committee on State Administration amendments to Senate Bill No. 508, dated February 15, 1974, and recommend as follows:

That the House recede from the proposed amendment to Senate Bill No. 508, and the Joint Conference Committee further recommends the bill be amended as follows:

Amend Section 2, Subsection (2), page 2, line 7 after the semicolon, by adding the following new material "an agency for which an aircraft has been specially equipped or modified shall have priority for the use of such aircraft;"

And that Senate Bill No. 508 as so amended, be concurred in.

FOR THE SENATE:

SORENSEN

LOWE

JAMES

FOR THE HOUSE:

STEPHENS

EDLAND, CHAIRMAN

February 27, 1974

Senate Bill 669

Joint Conference Committee Report

Mr. President and Speaker of the House:

We, your Joint Senate and House Conference Committee on Senate Bill No. 669, beg leave to report as follows:

That we met this day and considered the House of Representative's Committee of the Whole amendment to Senate Bill 669 dated February 11, 1974 and recommend as follows:

That the Senate accede to the House of Representative's Committee of the Whole amendment to Senate Bill 669;

And that Senate Bill 669 be amended as follows:

Amend in the title, line 6 following the word "elected" by inserting the following material "or appointed", and

Further amend Section 1, Subsection 1, line 14 following the word and punctuation "chaplain." by inserting the following material "A sergeant-at-arms shall be appointed by the Committee on Committees.", and

Further amend Section 1, Subsection 2, line 17 following the word and punctuation "chaplain." by inserting the following material "A sergeant-at-arms shall be appointed by the speaker.", and

Further amend Section 1, Subsection 3, line 18 following the word "elected" by adding the following material "or appointed";

And that Senate Bill 669 as so amended, be concurred in.

FOR THE SENATE:

GRAHAM, CHAIRMAN

BOLLINGER

TURNAGE

FOR THE HOUSE:

GERKE, CHAIRMAN

EDLAND

March 2, 1974

Senate Bill No. 489

Free Joint Conference Committee Report

Mr. President and Speaker of the House:

We, your Free Joint Senate and House Conference Committee on Senate Bill No. 489, beg leave to report as follows:

That the House recede from its Committee on Labor and Employment Relations amendments dated February 22, 1974 to Senate Bill No. 489 and the Free Joint Conference Committee recommends the bill be amended as follows:

Amend the title, page 1, line 7 following the year and punctuation "1947," by striking the word "removing" and inserting in lieu thereof the words "relating to";

And further amend Section 1, page 1, lines 21 and 22 following the word and punctuation "promulgate," by inserting the following material: "and subject in all cases to the review of the division,";

And further amend Section 1, page 2, following line 18 by adding the following new subsection:

"(5) The division shall review any officers of private corporation's election not to be bound as an employee to assure compliance with this act."

And that Senate B No. 489, as so amended, do pass.

FOR THE SENATE

SHEA

TURNAGE

BOYLAN

FOR THE HOUSE:

FLYNN

BENNETTS

TIERNEY

MESSAGES FROM THE GOVERNOR

March 2, 1974

Honorable Harold Gerke
Speaker of the House of Representatives
Capitol
Helena, Montana 59601

Dear Mr. Speaker:

I have the honor to inform you that I have this day approved House Bill No. 846.

Sincerely,

THOMAS L. JUDGE
Governor

cc: Honorable Gordon McOmber

March 2, 1974

Honorable Gordon McOmber
President of the Senate
Capitol
Helena, Montana 59601

Dear Mr. President:

I have the honor to inform you that I have this day approved the following measures:

Senate Bills Nos.: 474, 569, and 584.

Sincerely,

THOMAS L. JUDGE
Governor

cc: Honorable Harold Gerke

MOTIONS

Lockrem moved that House Bill No. 1103 be taken from the Committee on

Finance and Claims and referred to Second Reading. Lockrem requested a roll call vote with the Ayes and Nays spread on the Journal. The motion failed by the following vote:

Ayes: Aageson, Asbjornson, Barrett, Bell, Campbell, Castles, Clemow, East, Forsgren, Galt, Glennen, Hager, Kolstad, Kvaalen, Lockrem, Lucas, Lund, Lundgren, Mann, Olson, Selstad, Smith, Tierney, Turner, Ulmer, Warfield. Total 26.

Noes: Bardanouve, Bennetts, Bradley, Brand, Edland, Flynn, Greely, Hageman, R. Harper, Healy, Hodges, Holmes, Huennekens, Jacobsen, Johnston, Kendall, Kimble, Kosena, Laas, Lee, Lien, Lombardi, Lynch, McKittrick, Manuel, Marbut, Mehrens, Menahan, Murphy, Norman, Prevost, Quilici, Regan, Schepens, Shelden, Staigmiller, Stephens, Stoltz, Towe, Turman, Watt, Yardley, Mr. Speaker. Total 43.

Excused: Baucus, Brown, Driscoll, Ellerd, Hall, Holtz, Hubing, Mercer, Rolfe, Seifert, Walborn, Zimmer. Total 12.

Absent or not voting: Ainsworth, Baeth, Burnett, Colberg, Cotton, Cox, Fagg, Fasbender, Fleming, Gunderson, Haines, Halvorson, H. Harper, Jones, Kessner, Marks, Roberts, Schye, Swanberg. Total 19.

UNFINISHED BUSINESS

The Speaker appointed the following new Free Conference Committee to meet with a like committee from the Senate on House Bill No. 822: Driscoll, Chairman; Flynn and Aageson.

The Speaker appointed the following Conference Committee to meet with a like committee from the Senate on House Amendments to Senate Bill No. 524: Swanberg, Chairman; Hageman and Hager.

The Speaker appointed the following Free Conference Committee to meet with a like committee from the Senate on House Bill No. 732: Lien, Chairman; Gunderson and Lund.

The Speaker appointed the following Conference Committee to meet with a like committee from the Senate on Senate Amendments to House Bill No. 586: Bardanouve, Chairman; Kosena and Marks.

Fasbender moved that the House adjourn until 1:30 p.m., March 4, 1974.

Motion carried.

House adjourned.

HAROLD E. GERKE, Speaker

EDWIN A. SMITH, Chief Clerk

FORTY-NINTH LEGISLATIVE DAY

Helena, Montana
March 4, 1974

House Chambers
Capitol Building

House convened at 1:30 p.m., Mr. Speaker in the Chair.

Invocation by the Chaplain.

Pledge of Allegiance to the Flag.

Roll call. All members present except Edland, Ellerd, Hageman, Hall, Holtz, Lockrem, Mercer, Rolfe, Staigmiller and Zimmer, all excused.

Quorum present.

Mr. Speaker: We, your Committee on Bills and Journal, having examined the daily journal for the Forty-eighth Legislative Day, find the same to be correct.

QUILICI, Chairman

REPORTS OF STANDING COMMITTEES

March 4, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill correctly printed: House Bill No. 1105.

FLEMING, Vice-Chairman

March 4, 1974

The following bills and resolutions were signed in the office of the Speaker of the House of Representatives on March 2, 1974: House Bill No. 577, House Bill No. 664, House Bill No. 686, House Bill No. 702, House Bill No. 788, House Bill No. 813, House Bill No. 852, House Bill No. 942, House Bill No. 954, House Bill No. 1060, House Resolution No. 58, House Joint Resolution No. 56, Senate Bill No. 463, Senate Bill No. 523, Senate Bill No. 535, Senate Bill No. 540, Senate Bill No. 566.

EDWIN A. SMITH, Chief Clerk
House of Representatives

March 4, 1974

Mr. Speaker: We, your Committee on Taxation, having had under consideration House Bill No. 953, respectfully report as follows: That House Bill No. 953 be amended on page 2, Section 1, beginning on line 12, by striking the following material: "(2) A school district may issue bonds in excess of the limits set in subsection (1) when a major industrial facility is being constructed within the district. A school district may issue bonds in excess of the limits set in subsection (1) when a major industrial facility is about to be constructed within the district provided that if the construction of such facility is subject to section 70-804 a certificate has been issued pursuant to that section."

The maximum amount by which bonds issued under this subsection may exceed the limit set in subsection (1) is five percent (5%) of the estimated assessed and taxable value of the major industrial facility when completed. This estimated assessed and taxable value shall be computed by the department of revenue when requested by a resolution of the trustees of the district, and a copy of the department's statement of estimated assessment shall be printed on each ballot used to vote on a bond issue proposed under this subsection.

The overages as assessed and collected by the bond issue shall be returned as tax credits after the completion of the major industrial facility in such a manner that over a fifteen (15) year period the assessments against the major industrial facility shall be taxed at a rate equal to the amount of the investment in the community.", and inserting in lieu thereof the following material:

"(2) In the case of a school district within which a new major industrial facility which seeks to qualify for taxation as class seven (7) property under section 84-301, R.C.M. 1947 is being constructed or is about to be constructed, the school district may require, as a precondition of the new major industrial facilities qualifying as class seven (7) property, that the owners of the proposed industrial facility enter into an agreement with the school district concerning the issuing of bonds in excess of the five percent (5%) limitation prescribed in subsection one (1). Under such an agreement, the school district may, with the approval of the voters, issue bonds which exceed the limitation prescribed in subsection one (1) by a maximum of five percent (5%) of the estimated assessed value of the taxable property of the new major industrial facility when completed. The estimated assessed value of the taxable property of the new major industrial facility shall be computed by the department of revenue when requested to do so by a resolution of the board of trustees of the school district, and copy of the department's statement of estimated assessed value shall be printed on each ballot used to vote on a bond issue proposed under this subsection.

Pursuant to the agreement between the new major industrial facility and the school district, and as a precondition to qualifying as class seven (7) property, the new major industrial facility and its owners shall, in addition to such taxes as

may be imposed by the school district on property owners generally pay so much of the principal and interests on the bonds provided for under this subsection as shall represent payment on an indebtedness in excess of the limitation prescribed in subsection one (1). After the completion of the new major industrial facility and when the indebtedness of the school district no longer exceeds the limitation prescribed in subsection one (1), the new major industrial facility shall be entitled, after all the current indebtedness of the school district has been paid, to a tax credit over a period of no more than twenty (20) years which credit shall, as a total amount, be equal to the amount by which the facility paid the principal and interest of the school district's bonds in excess of its general liability as a taxpayer within the district, plus interest at a rate of five percent (5%) per annum.", and

As amended, do pass.

WATT, Chairman

Report adopted.

March 2, 1974

Mr. Speaker: We, your Committee on Highways and Transportation, having had under consideration Senate Bill No. 473, respectfully report as follows: That Senate Bill No. 473 be amended on page 27 of the second reading bill, Section 28, line 23 following the word and punctuation "structure." by inserting the following:

"During harvest no permit may be denied to oversize harvest or harvest related agricultural machinery solely on the grounds that the travel takes place on a Saturday or Sunday.", and

Be further amended on page 46, Section 55, line 19 by striking the underscored words "department of highways" and inserting in lieu thereof the words "highway commission", and

Be further amended on page 50, Section 58, lines 6 through 14 by omitting all of the material in its entirety and by inserting in lieu thereof the following material:

"On a two-lane highway where passing is unsafe because of traffic in the opposite direction or other conditions, a slow-moving vehicle, including a passenger vehicle, behind which four (4) or more vehicles are formed in line, shall turn off the roadway at the nearest place designated as a turnout by signs erected by the authority having jurisdiction over the highway, or wherever sufficient area for a safe turnout exists, in order to permit the vehicles following it to proceed. As used in this section a slow-moving vehicle is one which is proceeding at a rate of speed less than the normal flow of traffic at the particular time and place. The department of highways is authorized to designate and construct such turnouts and to erect signs at appropriate places advising motorists of this statute.", and

Be further amended on page 58, Section 67, line 22 following the word and punctuation "failure." by inserting the following material: "School buses equipped with such embedded pneumatic tires may operate from August 15 through the following June 15.", and

Be further amended on page 82, Section 94, lines 1 through 3 by omitting all of the stricken material, and

Be further amended on page 90, Section 99, lines 2 and 3 by omitting the stricken words "state board of equalization" and by omitting the underscoring of the words "department of revenue", and

Be further amended on page 91, Section 102, line 21 by omitting the stricken words, punctuation and figures "Fifteen percent (15%)" and by omitting the underscoring and by putting in lower case the words and figures "Twenty-five percent (25%)", and

Be further amended on page 95, Section 106, lines 12 through 25, and lines 1 through 4 on page 96 by omitting Section 106 in its entirety (repealed by Chapter 265; Laws of 1973) and by renumbering remaining sections of the bill, and

Be further amended on page 97, Section 110, lines 20 through 25, by omitting

the underscoring and by putting in lower case the words, punctuation and figures "With respect to vehicles operating on the highway with a current rear windshield sticker issued under the provisions of section 53-109.1 or section 53-109.2, the fees provided in this chapter shall be due and payable at the time of registration.", and

Be further amended on page 98, Section 112, line 22 by omitting the underscored word "moneys" and inserting in lieu thereof the word "Moneys", and

Be further amended on page 160, Section 184, lines 10 through 13 by omitting the underscoring and by putting in lower case the words, punctuation and figures "and, in the case of vehicles having a gross laden weight of less than twenty-four thousand (24,000) pounds, while in the process of demonstration in the course of the dealer's business", and

As amended, be concurred in.

LAAS, Chairman

Report adopted.

March 2, 1974

Mr. Speaker: We, your Committee on Highways and Transportation, having had under consideration Senate Bill No. 503, respectfully report as follows: That Senate Bill No. 503 be concurred in.

LAAS, Chairman

Report adopted.

March 2, 1974

Mr. Speaker: We, your Committee on Highways and Transportation, having had under consideration Senate Bill No. 506, respectfully report as follows: That Senate Bill No. 506 be concurred in.

LAAS, Chairman

Report adopted.

March 4, 1974

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration Senate Joint Resolution No. 42, respectfully report as follows: That Senate Joint Resolution No. 42 be concurred in.

LOMBARDI, Chairman

Report adopted.

REPORT OF SELECT COMMITTEE

March 4, 1974

Joint Conference Committee Report
House Bill No. 789

To the President of the Senate and the Speaker of the House:

We, your Joint Senate and House Conference Committee met March 1, 1974 and considered the Senate Committee on Judiciary Amendments to House Bill No. 789 dated February 19, 1974 and recommend as follows:

That the House accede to the Senate Amendments to Section 1 of House Bill No. 789, and

That the House accede to the Senate Amendments to Section 2 of House Bill No. 789, and

That the Senate recede from its Amendments to Section 6 of House Bill No. 789, and

That House Bill No. 789 as amended be concurred in.

FOR THE SENATE:

BOLLINGER

DRAKE

ZODY

FOR THE HOUSE:

GREELY

SWANBERG

TIERNEY

MESSAGES FROM THE OTHER HOUSE

March 2, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House amendments to Senate Bills were this day concurred in by the Senate:

House amendments to Senate Bill No. 495

House amendments to Senate Bill No. 501

House amendments to Senate Bill No. 615

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

March 2, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills and House Joint Resolution were this day read third time and concurred in, titles and history agreed to, and the said bills and resolution are herewith returned to the House:

House Bill No. 617 introduced by Lund and Fasbender

House Bill No. 786 introduced by Swanberg, et al

House Bill No. 853 introduced by Asbjornsen, et al

House Joint Resolution No. 79 introduced by Ellerd, et al

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

March 2, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was this day on Third Reading, not concurred in as amended, and the said bill is herewith returned to the House:

House Bill No. 880 introduced by Kvaalen, Prevost and Schepens

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

March 2, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following

House Bill was this day on Committee of the Whole, recommended that further action be indefinitely postponed, report adopted, and the said bill is herewith returned to the House:

House Bill No. 589 introduced by Bardanouve and Nichols

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

March 2, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was this day read third time, and concurred in as amended, and the said bill is herewith returned to the House for concurrence in Senate amendments:

House Bill No. 1073 introduced by Greely, Lucas, et al

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

March 2, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills and House Joint Resolution were this day on Committee reports, not concurred in, reports adopted, and the said bills and resolution are herewith returned to the House:

House Bill No. 722 introduced by Towe, et al

House Bill No. 759 introduced by McKittrick and Lee

House Bill No. 1,015 introduced by East, et al

House Bill No. 1,054 introduced by Lucas, et al

House Joint Resolution No. 43 introduced by Bradley, et al

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

March 2, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day failed to concur in House amendments to Senate Bill No. 525, the President was authorized to appoint a Free Conference Committee, and the Senate respectfully requests the House to appoint a like committee to confer on Senate Bill No. 525.

The President appointed the following members:

Senator Hall, Chairman
Senator Harrison
Senator Romney

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

March 2, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate authorized the President to replace Senator Turnage with Senator Graham as Chairman of the Conference Committee on House amendments to Senate Bill No. 669.

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

March 2, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate acceded to the request of the House and authorized the President to appoint a Conference Committee to meet with a like committee of the House to confer on Senate amendments to House Bill No. 843.

The President appointed the following members:

Senator Bertsche, Chairman
Senator Lowe
Senator Siderius

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

March 2, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day failed to concur in House amendments to Senate Bill No. 710, the President was authorized to appoint a Conference Committee, and the Senate respectfully requests the House to appoint a like committee to confer on House amendments to Senate Bill No. 710.

The President appointed the following members:

Senator Devine, Chairman
Senator Drake
Senator Shea

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

MOTIONS

Fasbender moved that the Speaker be authorized to appoint a Conference Committee to meet with a like committee from the Senate on House Amendments to Senate Bill No. 710.

Motion carried.

Fasbender moved that the Speaker be authorized to appoint a Free Conference Committee to meet with a like committee from the Senate on House Amendments to Senate Bill No. 525.

Motion carried.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following resolutions were introduced, read first time and referred to committees:

House Resolution No. 69, introduced by Clemow, Hubing, Forsgren, Castles, Halvorson, Johnston, Tierney, Jones, Marks, Smith, East, Yardley, Mehrens, Bell, Ageson, Lucas, Campbell, Burnett, Lien, Lynch, Kimble, Kolstad, Haines, Mann, Watt, Ulmer: A Resolution of the House of Representatives of the State of Montana appointing a select committee to recommend protective measures for the paintings in the Capitol. Referred to Committee on State Administration.

House Resolution No. 70, introduced by Murphy, Kolstad, Laas: A Resolution of the House of Representatives of the State of Montana requesting the Federal Power Commission to conduct the hearings concerning the expansion of the Colorado Interstate Gas Company activities into the Bearpaw Mountain area (Docket No. CP 73-340) in a convenient location in Montana. Referred to Committee on Business and Industry.

SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)

Fasbender moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading under the rules of the previous sitting.

Motion carried.

Baeth in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

March 4, 1974

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That House Bill No. 651 do not pass. (48-39)

That House Bill No. 799 do pass. (64-17)

That House Bill No. 829 be passed for the day.

Lockrem present at this time.

That House Bill No. 906 be amended in Section 2, page 1, line 18 by inserting a period after the word "timber" and striking the remainder of line 18, all of lines 19 through 25 on page 1 and striking all of lines 1, 2 and 3 on page 2 (68-5), and

As amended, do pass. (54-30)

That Senate Bill No. 434 be amended in Section 3, Subsection (2), line 21 of the third reading bill by inserting the following words after the word "contractors": "appointed by the governor with the concurrence of the senate" (60-0), and

As amended, be concurred in. (68-0)

That Senate Bill No. 542 be concurred in. (66-0)

That Senate Bill No. 572 be concurred in. (68-0)

That Senate Bill No. 573 be concurred in. (71-0)

That Senate Bill No. 574 be concurred in. (67-0)

That Senate Bill No. 650 be concurred in. (74-1)

That Senate Joint Resolution No. 56 be concurred in. (48-34)

That Senate Amendments to House Bill No. 661 be concurred in. (75-0)

That Senate Amendments to House Bill No. 802 be concurred in. (68-1)

That Senate Amendments to House Bill No. 879 be concurred in. (65-3)

That Senate Amendments to House Bill No. 888 be not concurred in. (60-14)

That Senate Amendments to House Bill No. 938 be concurred in. (64-4)

That Senate Amendments to House Bill No. 940 be concurred in. (68-4)

Schye excused at this time.

That Senate Amendments to House Bill No. 1021 be concurred in. (71-0)

That the Joint Conference Committee Report to Senate Bill No. 489 be adopted. (38-28)

That the Joint Conference Committee Report to Senate Bill No. 508 be adopted. (74-0)

That the Joint Conference Committee Report to Senate Bill No. 669 be adopted. (79-0)

That the committee rise and report.

BAETH, Chairman

Kendall moved that the Senate Amendments to House Bill No. 879 be segregated from the Committee of the Whole report and as amended, the Committee of the Whole report be adopted.

Motion carried.

UNFINISHED BUSINESS

Without objection, the Speaker referred Senate Bill No. 682 to the Committee on Judiciary.

The Speaker announced the following Conference Committee to meet with a like committee from the Senate on House Amendments to Senate Bill No. 710: Regan, Chairwoman; Mehrens and Kolstad.

The Speaker announced the following Free Conference Committee to meet with a like committee from the Senate on Senate Bill No. 525: Greely, Chairman; Johnston and Lucas.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

Senate Bill No. 493 was concurred in by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Quilici, Regan, Schepens, Seifert, Selstad, Shelden, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 85.

Noes: None.

Excused: Edland, Ellerd, Hageman, Hall, Holtz, Mercer, Rolfe, Schye, Staigmilller, Zimmer. Total 10.

Absent or not voting: Ainsworth, Brand, Lien, Roberts, Smith. Total 5.

Senate Bill No. 504 was concurred in by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox,

Driscoll, East, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosen, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Quilici, Regan, Schepens, Seifert, Selstad, Shelden, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 86.

Noes: None.

Excused: Edland, Ellerd, Hageman, Hall, Holtz, Mercer, Rolfe, Schye, Staigmiller, Zimmer. Total 10.

Absent or not voting: Ainsworth, Huennekens, Roberts, Smith. Total 4.

Senate Bill No. 526 was concurred in by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hager, Haines, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosen, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Quilici, Regan, Schepens, Seifert, Selstad, Shelden, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 85.

Noes: Brand. Total 1.

Excused: Edland, Ellerd, Hageman, Hall, Holtz, Mercer, Rolfe, Schye, Staigmiller, Zimmer. Total 10.

Absent or not voting: Ainsworth, Halvorson, Roberts, Smith. Total 4.

Senate Bill No. 530 was concurred in by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosen, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Quilici, Regan, Schepens, Seifert, Selstad, Shelden, Smith, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 87.

Noes: None.

Excused: Edland, Ellerd, Hageman, Hall, Holtz, Mercer, Rolfe, Schye, Staigmiller, Zimmer. Total 10.

Absent or not voting: Ainsworth, Bradley, Roberts. Total 3.

Senate Bill No. 536 was concurred in by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosen, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Quilici, Regan, Schepens, Seifert, Selstad, Shelden, Smith, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 88.

Noes: None.

Excused: Edland, Ellerd, Hageman, Hall, Holtz, Mercer, Rolfe, Schye, Staigmiller, Zimmer. Total 10.

Absent or not voting: Ainsworth, Roberts. Total 2.

Senate Bill No. 537 was concurred in by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, East, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Hager, Haines, Halvorson, H. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marks, Mehrens, Murphy, Olson, Prevost, Quilici, Regan, Schepens, Seifert, Selstad, Shelden, Smith, Stephens, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Watt. Total 76.

Noes: Brand, Driscoll, Gunderson, R. Harper, Kimble, Marbut, Norman, Stoltz, Warfield, Yardley, Mr. Speaker. Total 11.

Excused: Edland, Ellerd, Hageman, Hall, Holtz, Mercer, Rolfe, Schye, Staigmiller, Zimmer. Total 10.

Absent or not voting: Ainsworth, Menahan, Roberts. Total 3.

Senate Bill No. 545 was concurred in by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Marbut, Marks, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Quilici, Regan, Schepens, Seifert, Selstad, Shelden, Smith, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 87.

Noes: None.

Excused: Edland, Ellerd, Hageman, Hall, Holtz, Mercer, Rolfe, Schye, Staigmiller, Zimmer. Total 10.

Absent or not voting: Ainsworth, Manuel, Roberts. Total 3.

Senate Bill No. 568 was concurred in by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Quilici, Regan, Schepens, Seifert, Selstad, Shelden, Smith, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley. Total 87.

Noes: Mr. Speaker. Total 1.

Excused: Edland, Ellerd, Hageman, Hall, Holtz, Mercer, Rolfe, Schye, Staigmiller, Zimmer. Total 10.

Absent or not voting: Ainsworth, Roberts. Total 2.

Senate Bill No. 577 was concurred in by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Bardanouve, Baucus, Bell, Bennetts, Bradley, Brand, Campbell, Castles, Clemow, Colberg, Cotton, Driscoll, East, Fagg, Fasbender, Fleming, Forsgren, Galt, Glennen, Greely, Gunderson, Haines, Halvorson, R. Harper, Healy, Holmes, Hubing, Huennekens, Johnston, Jones,

Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lombardi, Lund, Lundgren, McKittrick, Mann, Marbut, Marks, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Quilici, Regan, Schepens, Seifert, Shelden, Stoltz, Swanberg, Towe, Turman, Turner, Watt, Yardley, Mr. Speaker. Total 67.

Noes: Barrett, Brown, Burnett, Cox, Flynn, Hager, H. Harper, Hodges, Jacobsen, Lien, Lockrem, Lucas, Manuel, Selstad, Smith, Stephens, Tierney, Ulmer, Walborn, Warfield. Total 20.

Excused: Edland, Ellerd, Hageman, Hall, Holtz, Mercer, Rolfe, Schye, Staigmiller, Zimmer. Total 10.

Absent or not voting: Ainsworth, Lynch, Roberts. Total 3.

Senate Bill No. 579 was concurred in by the following vote:

Ayes: Aageson, Asbjørnson, Baeth, Bardanouve, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Johnston, Jones, Kendall, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lockrem, Lombardi, Lucas, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Quilici, Regan, Schepens, Seifert, Shelden, Stephens, Stoltz, Swanberg, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 77.

Noes: Barrett, Burnett, Jacobsen, Kessner, Lien, Lund, Mann, Selstad, Smith, Tierney, Walborn. Total 11.

Excused: Edland, Ellerd, Hageman, Hall, Holtz, Mercer, Rolfe, Schye, Staigmiller, Zimmer. Total 10.

Absent or not voting: Ainsworth, Roberts. Total 2.

Senate Bill No. 624 was concurred in by the following vote:

Ayes: Aageson, Asbjørnson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Quilici, Regan, Schepens, Selstad, Shelden, Smith, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 86.

Noes: Gunderson, Seifert. Total 2.

Excused: Edland, Ellerd, Hageman, Hall, Holtz, Mercer, Rolfe, Schye, Staigmiller, Zimmer. Total 10.

Absent or not voting: Ainsworth, Roberts. Total 2.

Senate Bill No. 648 was concurred in by the following vote:

Ayes: Aageson, Asbjørnson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Greely, Gunderson, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Quilici, Regan, Schepens, Seifert, Shelden, Smith, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 85.

Noes: Glennen. Total 1.

Excused: Edland, Ellerd, Hageman, Hall, Holtz, Mercer, Rolfe, Schye, Staigmiller, Zimmer. Total 10.

Absent or not voting: Ainsworth, Hodges, Roberts, Selstad. Total 4.

Senate Bill No. 676 was concurred in by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hager, Haines, Halvorson, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Quilici, Regan, Schepens, Seifert, Selstad, Shelden, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 83.

Noes: H. Harper, Marks, Ulmer. Total 3.

Excused: Edland, Ellerd, Hageman, Hall, Holtz, Mercer, Rolfe, Schye, Staigmilller, Zimmer. Total 10.

Absent or not voting: Ainsworth, Bell, Roberts, Smith. Total 4.

Senate Bill No. 712 was concurred in by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Bardanouve, Barrett, Bell, Brown, Burnett, Campbell, Castles, Cox, East, Fagg, Flynn, Forsgren, Hager, Haines, Halvorson, Healy, Hubing, Johnston, Jones, Kendall, Kessner, Kosena, Kvaalen, Lee, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Menahan, Olson, Quilici, Seifert, Selstad, Smith, Swanberg, Turner, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 47.

Noes: Baucus, Bennetts, Bradley, Brand, Clemow, Colberg, Cotton, Driscoll, Fasbender, Fleming, Glennen, Greely, Gunderson, H. Harper, R. Harper, Hodges, Holmes, Huennekens, Jacobsen, Kimble, Kolstad, Laas, Lien, Lockrem, Mann, Marbut, Marks, Murphy, Norman, Regan, Schepens, Stephens, Stoltz, Tierney, Towe, Turman, Walborn. Total 37.

Excused: Edland, Ellerd, Hageman, Hall, Holtz, Mercer, Rolfe, Schye, Staigmilller, Zimmer. Total 10.

Absent or not voting: Ainsworth, Galt, Mehrens, Prevost, Roberts, Shelden. Total 6.

Senate Joint Resolution No. 55 was concurred in by the following vote:

Ayes: Asbjornson, Baeth, Bardanouve, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Driscoll, Fagg, Fasbender, Fleming, Forsgren, Galt, Glennen, Greely, Gunderson, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Huennekens, Jacobsen, Johnston, Jones, Kimble, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Quilici, Regan, Schepens, Seifert, Shelden, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 75.

Noes: Aageson, Barrett, Burnett, Cox, Flynn, Kendall, Kessner, Kolstad, Selstad, Smith, Walborn. Total 11.

Excused: Edland, Ellerd, Hageman, Hall, Holtz, Mercer, Rolfe, Schye, Staigmilller, Zimmer. Total 10.

Absent or not voting: Ainsworth, East, Hubing, Roberts. Total 4.

Senate Joint Resolution No. 59 was concurred in by the following vote:

Ayes: Aageson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Brand, Campbell, Castles, Clemow, Colberg, Cotton, Driscoll, East, Fagg, Fleming, Flynn, Forsgren, Glennen, Greely, Gunderson, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Huennekens, Jacobsen, Kendall, Kessner, Kimble, Kolstad, Kosena, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lynch,

McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Norman, Olson, Quilici, Regan, Schepens, Seifert, Shelden, Smith, Stephens, Stoltz, Swanberg, Tierney, Turman, Turner, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 72.

Noes: Asbjornson, Bradley, Burnett, Cox, Galt, Hubing, Johnston, Jones, Kvaalen, Lundgren, Selstad, Towe, Ulmer. Total 13.

Excused: Edland, Ellerd, Hageman, Hall, Holtz, Mercer, Rolfe, Schye, Staigmiller, Zimmer. Total 10.

Absent or not voting: Ainsworth, Brown, Fasbender, Prevost, Roberts. Total 5.

Senate Amendments to House Bill No. 635 were concurred in by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lynch, McKittrick, Mann, Manuel, Marbut, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Quilici, Regan, Schepens, Seifert, Selstad, Shelden, Smith, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Walborn, Warfield, Watt, Mr. Speaker. Total 80.

Noes: Hodges, Holmes, Kolstad, Ulmer, Yardley. Total 5.

Excused: Edland, Ellerd, Hageman, Hall, Holtz, Mercer, Rolfe, Schye, Staigmiller, Zimmer. Total 10.

Absent or not voting: Ainsworth, Burnett, Lundgren, Marks, Roberts. Total 5.

Senate Amendments to House Bill No. 671 were concurred in by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Schepens, Seifert, Selstad, Shelden, Smith, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 88.

Noes: None.

Excused: Edland, Ellerd, Hageman, Hall, Holtz, Mercer, Rolfe, Schye, Staigmiller, Zimmer. Total 10.

Absent or not voting: Ainsworth, Bardanouve. Total 2.

Senate Amendments to House Bill No. 928 were concurred in by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Quilici, Regan, Schepens, Seifert, Selstad, Shelden, Smith, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Mr. Speaker. Total 87.

Noes: None.

Excused: Edland, Ellerd, Hageman, Hall, Holtz, Mercer Rolfe, Schye, Staigmiller, Zimmer. Total 10.

Absent or not voting: Ainsworth, Roberts, Yardley. Total 3

The Joint Conference Committee Report to Senate Bill 660 was adopted by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hager, Haines, Halvorsen, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Quilici, Regan, Schepens, Seifert, Selstad, Smith, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 87.

Noes: None.

Excused: Edland, Ellerd, Hageman, Hall, Holtz, Mercer, Rolfe, Schye, Staigmiller, Zimmer. Total 10.

Absent or not voting: Ainsworth, Roberts, Shelden. Total 3.

The Joint Conference Committee Report to Senate Bill No. 661 was adopted by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Cotton, Cox, Driscoll, East, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hager, Haines, Halvorsen, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Quilici, Regan, Schepens, Seifert, Selstad, Shelden, Smith, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 84.

Noes: Colberg, Lockrem. Total 2.

Excused: Edland, Ellerd, Hageman, Hall, Holtz, Mercer, Rolfe, Schye, Staigmiller, Zimmer. Total 10.

Absent or not voting: Ainsworth, Burnett, Johnston, Roberts. Total 4.

Senate Bill No. 662 was concurred in by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hager, Haines, Halvorsen, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Norman, Prevost, Quilici, Regan, Schepens, Seifert, Selstad, Shelden, Smith, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 85.

Noes: None.

Excused: Edland, Ellerd, Hageman, Hall, Holtz, Mercer, Rolfe, Schye, Staigmiller, Zimmer. Total 10.

Absent or not voting: Ainsworth, Burnett, Lundgren, Olson, Roberts. Total 5.

The Joint Conference Committee Report to Senate Bill No. 489 was adopted by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts,

Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, Fagg, Fasbender, Fleming, Flynn, Galt, Glennen, Greely, Gunderson, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Norman, Prevost, Quilici, Regan, Schepens, Seifert, Selstad, Shelden, Smith, Stephens, Stoltz, Swanberg, Tierney, Turman, Turner, Ulmer, Walborn, Watt, Yardley, Mr. Speaker. Total 80.

Noes: Burnett. Total 1.

Excused: Edland, Ellerd, Hageman, Hall, Holtz, Mercer, Rolfe, Schye, Staigmiller, Zimmer. Total 10.

Absent or not voting: Ainsworth, East, Forsgren, Huennekens, McKittrick, Olson, Roberts, Towe, Warfield. Total 9.

The Joint Conference Committee Report to Senate Bill No. 508 was adopted by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, Fagg, Fasbender, Fleming, Flynn, Glennen, Gunderson, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Norman, Olson, Quilici, Regan, Roberts, Schepens, Seifert, Selstad, Shelden, Smith, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 83.

Noes: None.

Excused: Edland, Ellerd, Hageman, Hall, Holtz, Mercer, Rolfe, Schye, Staigmiller, Zimmer. Total 10.

Absent or not voting: Ainsworth, East, Forsgren, Galt, Greely, McKittrick, Prevost. Total 7.

The Joint Conference Committee Report to Senate Bill No. 669 was adopted by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Fasbender, Fleming, Flynn, Forsgren, Glennen, Gunderson, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Norman, Olson, Quilici, Regan, Roberts, Schepens, Seifert, Selstad, Shelden, Smith, Stephens, Stoltz, Swanberg, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Yardley, Mr. Speaker. Total 82.

Noes: Tierney. Total 1.

Excused: Ellerd, Fagg, Hageman, Hall, Holtz, Mercer, Rolfe, Schye, Staigmiller, Zimmer. Total 10.

Absent or not voting: Ainsworth, Burnett, Edland, Galt, Greely, Prevost, Watt. Total 7.

REPORTS OF STANDING COMMITTEES

March 4, 1974

I have examined House Bill No. 643 introduced by me and find the same to be correct.

BROWN

March 4, 1974

I have examined House Bill No. 947 introduced by me and find the same to be correct.

FAGG

March 4, 1974

I have examined House Bill No. 783 introduced by me and find the same to be correct.

QUILICI

March 4, 1974

I have examined House Bill No. 781 introduced by me and find the same to be correct.

FAGG

March 4, 1974

I have examined House Bill No. 742 introduced by me and find the same to be correct.

GREELY

March 4, 1974

I have examined House Bill No. 593 introduced by me and find the same to be correct.

MARBUT

March 4, 1974

I have examined House Bill No. 916 introduced by me and find the same to be correct.

KIMBLE

March 4, 1974

I have examined House Bill No. 939 introduced by me and find the same to be correct.

MURPHY

March 4, 1974

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bill No. 386, do hereby report that said bill, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day, at the hour of 3:15 o'clock, p.m., delivered to the Governor for his approval.

QUILICI, Chairman

March 4, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly enrolled: House Bill No. 593, House Bill No. 643, House Bill No. 742, House Bill No. 781, House Bill No. 783, House Bill No. 916, House Bill No. 939, House Bill No. 947.

QUILICI, Chairman

March 4, 1974

The following bills and resolutions will be signed on adjournment on March 4, 1974, in the office of the Speaker of the House of Representatives: House Bill No. 593, House Bill No. 643, House Bill No. 742, House Bill No. 781, House Bill No. 783, House Bill No. 916, House Bill No. 939, House Bill No. 947, Senate Bill No. 453, Senate Bill No. 534, Senate Bill No. 560, Senate Bill No. 609, Senate Bill No. 634, Senate Bill No. 668, Senate Joint Resolution No. 54, Senate Joint Resolution No. 58, Senate Joint Resolution No. 61, Senate Joint Resolution No. 65.

EDWIN A. SMITH, Chief Clerk

House of Representatives

March 4, 1974

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Resolution No. 55, respectfully report as follows: That House Resolution No. 55 do pass.

BRAND, Chairman

Report adopted.

March 4, 1974

Mr. Speaker: We, your Committee on State Administration, having had under consideration Senate Bill No. 461, respectfully report as follows: That Senate Third Reading Bill No. 461 be amended in the key line on page 1, line 13 after the material "72-627" by inserting the following material: "72-631 through 72-634," and

Be further amended in Section 24, page 31, line 15 before the material "82A-1703" by inserting the following material: "72-631 through 72-634," and

As amended, be concurred in.

BRAND, Chairman

Report adopted.

March 4, 1974

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration Senate Bill No. 570, respectfully report as follows: That Senate Bill No. 570 be not concurred in.

MEHRENS, Chairman

March 4, 1974

Mr. Speaker: We, your Committee on State Administration, having had under consideration Senate Bill No. 623, respectfully report as follows: That Senate Third Reading Bill No. 623 be amended in the key line on page 1, line 4 after the figure "66-2902," by inserting the figure "66-2904," and

Be further amended in the title on page 1, line 19 after the word "sections" by inserting the figure "66-2904," and

Be further amended in Section 7, page 8, line 7 after the word "mileage" by striking the following material: "at the rate of ten cents (\$.10) per mile", and inserting in lieu thereof the following material: "as set forth in section 59-801, R.C.M. 1947", and

Be further amended in Section 8, page 8, line 24 after the figure "3.", by inserting the following material: "Educational institutions maintaining a full-time faculty with a varied curriculum.", and

Be further amended in Section 8, page 9, starting with the word "Or" on line 1 through and including the word "board." on line 3 by omitting the material contained therein in its entirety, and inserting in lieu thereof the following material: "4. Athletic clubs and others who apply for and acquire from the board an exemption. Such an exemption may be granted or denied at the discretion of the board in carrying out the purposes of this act.", and

Be further amended by renumbering the subsequent subsection to conform numerically, and

As amended, be concurred in.

BRAND, Chairman

Report adopted.

March 4, 1974

Mr. Speaker: We, your Committee on State Administration, having had under consideration Senate Bill No. 625, respectfully report as follows: That Senate Third Reading Bill No. 625 be amended in Section 2, page 4, line 23 after the word "It" by omitting the word "may" and inserting in lieu thereof the word "shall", and

Be further amended in Section 2, page 4, line 24 after the word "desirable," by inserting the word "may", and

Be further amended after Section 12, page 14, after the material on line 12, by adding a new section 13 to read as follows:

"Section 13. Board of planning and community development — creation — composition — designation. (1) There is created a board of planning and community development.

(2) The board is composed of five (5) members, appointed by the governor as prescribed in section 82A-112. No member may hold another public office, except that no more than one (1) member may also hold a part-time elective office in a city or town government and no more than one (1) member may also hold a part-time elective office in a county government.

(3) The board is designated a quasi-judicial board for purposes of section 82A-112.", and

Be further amended by renumbering subsequent sections to conform numerically, and

Be further amended in Section 15 on page 15, starting with the word "when" on line 17 through and including the word "state." on line 20 by omitting the material contained therein in its entirety and inserting in lieu thereof the following material: "upon appropriation of funds or upon the passage of legislation requiring implementation by the United States congress.", and

As amended, be concurred in.

BRAND, Chairman

Report adopted.

March 4, 1974

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration Senate Bill No. 649, respectfully report as follows: That Senate Bill No. 649 be concurred in.

MEHRENS, Chairman

Report adopted.

March 4, 1974

Mr. Speaker: We, your Committee on State Administration, having had under consideration Senate Bill No. 651, respectfully report as follows: That Senate Bill No. 651 be concurred in.

BRAND, Chairman

Report adopted.

March 4, 1974

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration Senate Bill No. 670, respectfully report as follows: That Third Reading Senate Bill No. 670 be amended in Section 1, Subsection (4), page 2, line 7 after the word "to" by omitting the following material: "unfairly cancel or terminate, without due regard to the equities of the wholesaler or without just cause or provocation, any agreement or contract, written or oral, or the franchise of any wholesaler existing on January 1, 1974, or thereafter entered into, to sell beer manufactured by the brewer.", and inserting in lieu thereof the following material: "cancel or terminate except for just cause or in accordance with the current terms and standards established by the brewer then equally applicable to all wholesalers,

any agreement or contract, written or oral, or the franchise of any wholesaler existing on January 1, 1974, or thereafter entered into, to sell beer manufactured by the brewer. A brewer may, notwithstanding the preceding sentence, make reasonable classifications among wholesalers. If a brewer cancels or terminates a wholesaler's franchise, the brewer has the burden of proving the classification was reasonable and not arbitrary.", and

As amended, be concurred in.

MEHRENS, Chairman

Report adopted.

March 4, 1974

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration Senate Bill No. 679, respectfully report as follows: That Senate Bill No. 679 be amended in the third reading on page 1, Section 1, after the word "chapter" on line 18 by reinserting the stricken material as follows: "except such insurance sold in connection with a loan or other credit transaction of more than ten (10) years duration", and

As amended, be concurred in.

MEHRENS, Chairman

Report adopted.

March 4, 1974

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration Senate Bill No. 694, respectfully report as follows: That Senate Bill No. 694 be concurred in.

MEHRENS, Chairman

Report adopted.

March 4, 1974

Mr. Speaker: We, your Committee on State Administration, having had under consideration Senate Joint Resolution No. 62, respectfully report as follows: That Senate Joint Resolution No. 62 be concurred in.

BRAND, Chairman

Report adopted.

March 4, 1974

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration Senate Joint Resolution No. 63, respectfully report as follows: That Senate Joint Resolution No. 63 be amended in the title of the third reading bill on page 1, line 5 after the word "Montana" by omitting the word "directing" and inserting in lieu thereof the word "requesting", and

As amended, be concurred in.

MEHRENS, Chairman

Report adopted.

REPORTS OF SELECT COMMITTEES

March 4, 1974

Senate Bill 710

Joint Conference Committee Report

Mr. President and Speaker of the House:

We, your Joint Conference Committee of the Senate and House, appointed to meet on Senate Bill No. 710, beg leave to report as follows:

That we met this day and considered House Committee on Business and Industry Amendment to Senate Bill No. 710, dated February 25, 1974, and recommend as follows:

That the Senate accede to the House Committee on Business and Industry Amendment to Senate Bill No. 710, and that Senate Bill No. 710 as so amended be concurred in.

FOR THE SENATE:

DEVINE

DRAKE

SHEA

FOR THE HOUSE:

REGAN

KOLSTAD

MEHRENS

House Bill No. 843
Free Joint Conference Committee Report

Mr. President and Speaker of the House:

We, your Free Joint Senate and House Conference Committee on House Bill No. 843, beg leave to report as follows:

That we met this day and considered the Senate Committee on Labor and Employment Amendments dated February 22, 1974 and the Senate Committee of the Whole Amendments dated February 25, 1974 to House Bill 843 and recommend as follows:

That the Senate recede from the Senate Committee on Labor and Employment Amendments to House Bill No. 843 dated February 22, 1974 and the Senate Committee of the Whole amendments dated February 25, 1974.

And that House Bill 843 be concurred in.

FOR THE SENATE:

BERTSCHE

LOWE

SIDERIUS

FOR THE HOUSE:

KIMBLE

McKITTRICK

H. HARPER

MESSAGES FROM THE GOVERNOR

March 4, 1974

Honorable Harold Gerke
Speaker of the House of Representatives
Capitol
Helena, Montana

Dear Mr. Speaker:

I have the honor to inform you that I have this day approved House Bill No. 386.

Sincerely,

THOMAS L. JUDGE
Governor

cc: Honorable Gordon McOmber

March 4, 1974

Honorable Harold Gerke
Speaker of the House of Representatives
Capitol
Helena, Montana

Dear Mr. Speaker:

I have the honor to inform you that I have this day approved the following measures:

House Bills Nos.: 213, 625, 654, 662, 678, 725, 772, 773, 780, 817, 858, 870, 915, 925, 946, 988, 989, and 1008.

Sincerely,

THOMAS L. JUDGE
Governor

cc: Honorable Gordon McOmber

March 4, 1974

Honorable Gordon McOmber
President of the Senate
State Capitol
Helena, Montana

Dear Mr. President:

I have the honor to inform you that I have this day approved the following measures:

Senate Bills Nos.: 463, 523, 535, 540, 566, 585, 590, 605, 606, 653, and 704.

Sincerely,

THOMAS L. JUDGE
Governor

cc: Honorable Harold Gerke

MESSAGES FROM THE OTHER HOUSE

March 4, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate acceded to the request of the House and authorized the President to appoint a Conference Committee to meet with a like committee of the House to confer on Senate amendments to House Bill No. 586.

The President appointed the following members:

Senator Flynn, Chairman
Senator Vainio
Senator Broeder

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

March 4, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate acceded to the request of the House and authorized the President to appoint a Free Conference Committee to meet with a like committee of the House to confer on House Bill No. 732.

The President appointed the following members:

Senator McGowan, Chairman
Senator McCallum
Senator Bollinger

Respectfully yours,
JOHN N. HANSON
Secretary of the Senate

MOTIONS

Fasbender moved that the Speaker be authorized to appoint a Conference Committee to meet with a like committee from the Senate on Senate Amendments to House Bill No. 888.

Motion carried.

Fasbender moved that the Conference Committee on House Amendments to Senate Bill No. 459 be dissolved, and that the Speaker be authorized to appoint a new Conference Committee to meet with a like committee from the Senate.

Motion carried.

Tierney, having voted on the prevailing side in failing to pass House Bill No. 651 on Second Reading, moved that the House reconsider its action.

Motion failed.

Fasbender moved that the House adjourn until 1:00 p.m., March 5, 1974.

Motion carried.

House adjourned.

HAROLD E. GERKE, Speaker

EDWIN A. SMITH, Chief Clerk

FIFTIETH LEGISLATIVE DAY

Helena, Montana
March 5, 1974

House Chambers
Capitol Building

House convened at 1:00 p.m., Mr. Speaker in the Chair.

Invocation by the Chaplain.

Pledge of Allegiance to the Flag.

Roll call. All members present except Ainsworth, Edland, Ellerd, Hageman, Hall, Holtz, Rolfe and Zimmer, all excused.

Quorum present.

Mr. Speaker: We, your Committee on Bills and Journal, having examined the daily journal for the Forty-ninth Legislative Day, find the same to be correct.

QUILICI, Chairman

REPORTS OF STANDING COMMITTEES

March 5, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill considered correctly engrossed: House Bill No. 799.

QUILICI, Chairman

March 5, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills and resolution correctly printed: House Bill No. 953, House Bill No. 1111, House Resolution No. 55.

QUILICI, Chairman

March 5, 1974

The following bills and resolutions were signed in the office of the Speaker of the House of Representatives on March 4, 1974: House Bill No. 593, House Bill No. 643, House Bill No. 742, House Bill No. 781, House Bill No. 783, House Bill No. 916, House Bill No. 939, House Bill No. 947, Senate Bill No. 453, Senate Bill No. 534, Senate Bill No. 560, Senate Bill No. 609, Senate Bill No. 634, Senate Bill No. 668, Senate Joint Resolution No. 54, Senate Joint Resolution No. 58, Senate Joint Resolution No. 61, Senate Joint Resolution No. 65.

EDWIN A. SMITH, Chief Clerk
House of Representatives

March 5, 1974

Mr. Speaker: We, your Committee on Education, having had under consideration Senate Bill No. 602, respectfully report as follows: That Senate Third Reading Bill No. 602 be concurred in.

GUNDERSON, Chairman

Report adopted.

March 5, 1974

Mr. Speaker: We, your Committee on Education, having had under consideration Senate Bill No. 731, respectfully report as follows: That Third Reading Senate Bill No. 731 be amended in the title on page 1, line 7 after the words "definition of" by omitting the word "handicapped" and inserting in lieu thereof the words "special education", and

Be further amended in the title on page 1, line 8 after the words "who are" by omitting the following material: "six (6) years of age and under twenty-two (22) years of age", and inserting in lieu thereof the following material: "enrolled in grades one (1) through twelve (12)", and

Be further amended in the title on page 1, line 10 after the year "1947" by inserting the following material: "; and providing an effective date", and

Be further amended in Section 1, Subsection (7)(d), page 3, line 7 after the word "including" by omitting the word "athletics" and inserting in lieu thereof the words "physical education skills", and

Be further amended in Section 2, Subsection (7), page 4 starting with the word "six" on line 20 through and including the word "instruction." on line 25 by omitting the material contained therein in its entirety, and inserting in lieu thereof the following material: "enrolled in grades one (1) through twelve (12).", and

Be further amended after the material on page 4, line 25, by adding a new Section 3 to read as follows: "Section 3. This act will become effective July 1, 1975.", and

As amended, be concurred in.

GUNDERSON, Chairman

Report adopted.

In accordance with the 24 hour rule, the adverse committee report on Senate Bill No. 570 was adopted by the following vote:

Ayes: Asbjørnson, Baeth, Baucus, Bell, Bennetts, Bradley, Burnett, Campbell, Clemow, Driscoll, East, Fagg, Fasbender, Fleming, Flynn, Galt, Gunderson, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Hubing, Jacobsen, Jones, Kendall, Kessner, Kimble, Kosen, Kvaalen, Lee, Lien, Lombardi, Lucas, Lundgren, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Schepens, Seifert, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Mr. Speaker. Total 63.

Noes: Aageson, Barrett, Brand, Colberg, Cotton, Førsgrén, Glennen, Hager, Huennekens, Kølstad, Lockrem, Manuel, Yardley. Total 13.

Excused: Ainsworth, Edland, Ellerd, Hageman, Hall, Holtz, Rolfe, Zimmer. Total 8.

Absent or not voting: Bardanouve, Brown, Castles, Cox, Greely, Holmes, Johnston, Laas, Lund, Lynch, McKittrick, Mann, Roberts, Schye, Selstad, Watt. Total 16.

MESSAGES FROM THE OTHER HOUSE

March 4, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House amendments to Senate Bills were this day concurred in by the Senate:

House amendments to Senate Bill No. 240

House amendments to Senate Bill No. 479

House amendments to Senate Bill No. 549

House amendments to Senate Bill No. 604

House amendments to Senate Bill No. 732

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

March 4, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill and House Joint Resolutions were this day on Committee reports, not concurred in, reports adopted, and the said bills and resolutions are herewith returned to the House:

House Bill No. 795 introduced by Shelden, Turman, et al

House Joint Resolution No. 57 introduced by Bennetts, H. Harper, et al

House Joint Resolution No. 58 introduced by Kosena

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

March 4, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was this day on Third Reading, not concurred in, and the said bill is herewith returned to the House:

House Bill No. 756 introduced by Lucas (by request)

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

March 4, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was this day on Committee report, not concurred in, as amended, report adopted, and the said bill is herewith returned to the House:

House Bill No. 693 introduced by Manuel, Haines, et al

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

March 4, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was on March 2, 1974, on Committee of the Whole, recommended that further action be indefinitely postponed, report adopted, and the said bill is herewith returned to the House:

House Bill No. 723 introduced by Barrett, Burnett, et al

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

March 4, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills and House Joint Resolution were this day read third time and concurred in, as amended, titles and history agreed to, and the said bills and resolution are herewith returned to the House for concurrence in Senate amendments:

House Bill No. 193 introduced by Fagg, Kosena and Castles

House Bill No. 478 introduced by Lund and Lockrem

House Bill No. 557 introduced by Hall, Kolstad, et al

House Bill No. 582 introduced by Bardanouve, Marbut, et al

House Bill No. 600 introduced by Fasbender, Marbut, et al

House Bill No. 681 introduced by Gerke

House Bill No. 694 introduced by Gerke

House Bill No. 764 introduced by Gunderson and Fasbender

House Bill No. 774 introduced by Gerke, Kosena, et al

House Bill No. 830 introduced by Towe, Holmes, et al

House Bill No. 950 introduced by Roberts and Tierney

House Bill No. 974 introduced by Roberts

House Joint Resolution No. 59 introduced by Holmes, Gunderson, et al

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

March 4, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day on motion, duly carried, dissolved the Conference Committee on House amendments to Senate Bill No. 459, and the President was authorized to appoint a new Conference Committee, and respectfully requests the House to appoint a new Conference Committee to confer on House amendments to Senate Bill No. 459.

The President appointed the following members:

Senator Keenan, Chairman
Senator Harrison
Senator Nees

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

March 4, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills and House Joint Resolutions were this day read third time and concurred in, titles and history agreed to, and the said bills and resolutions are herewith returned to the House:

House Bill No. 598 introduced by Brand, Cox, et al
House Bill No. 599 introduced by Ulmer and Lucas
House Bill No. 736 introduced by Bardanouve
House Bill No. 737 introduced by Bardanouve
House Bill No. 738 introduced by Bardanouve
House Bill No. 739 introduced by Bardanouve
House Bill No. 740 introduced by Bardanouve
House Bill No. 796 introduced by Schye, Cotton, et al
House Bill No. 801 introduced by Watt, H. Harper, et al
House Bill No. 815 introduced by Asbjornson, et al
House Bill No. 818 introduced by Fasbender, Hall, et al
House Bill No. 823 introduced by Brand, Menahan, et al
House Bill No. 839 introduced by Cotton, Shelden, et al
House Bill No. 840 introduced by Lundgren
House Bill No. 871 introduced by Turman, Kendall and Shelden
House Bill No. 885 introduced by Yardley
House Bill No. 887 introduced by Lucas, Johnston, et al
House Bill No. 899 introduced by Lee, Lynch, et al
House Bill No. 912 introduced by Brand
House Bill No. 914 introduced by Lombardi, Kosena, et al
House Bill No. 926 introduced by Murphy, Tierney, et al
House Bill No. 958 introduced by Bradley and Forsgren
House Bill No. 1.074 introduced by Holtz
House Bill No. 1.083 introduced by Murphy
House Joint Resolution No. 39 introduced by Bennetts, et al
House Joint Resolution No. 51 introduced by McKittrick, et al
House Joint Resolution No. 75 introduced by Stephens, et al
House Joint Resolution No. 82 introduced by the House Judiciary Committee

Respectfully yours,
JOHN N. HANSON
Secretary of the Senate

March 4, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bill was this day read three several times and passed, title and history agreed to, and the said bill is transmitted to the House for concurrence:

Senate Bill No. 733 introduced by Lowe, Drake, et al

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

March 4, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Joint Conference Committee report on House amendments to Senate Bill No. 669 was this day adopted on third reading, roll call vote, and the committee has been discharged.

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

March 4, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Joint Conference Committee report on Senate amendments to House Bill No. 789 was this day adopted on third reading, roll call vote, and the committee has been discharged.

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

March 4, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Free Conference Committee reports were this day adopted on third reading, roll call vote, and the committees have been discharged:

Free Conference Committee report on Senate Bill No. 489

Free Conference Committee report on Senate Bill No. 660

Free Conference Committee report on Senate Bill No. 661

Free Conference Committee report on Senate Bill No. 662

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following bills were introduced, read first time and referred to committees:

House Bill No. 1123, introduced by Brand, Menahan: A bill for an act entitled: "An act appropriating two hundred thousand dollars (\$200,000) from the general fund to the Department of Institutions for the biennium ending June 30, 1975 to provide bus service for the employees of Boulder River School and Hospital, Galen State Hospital, Warm Springs State Hospital and the State Prison at Deer Lodge." Referred to Committee on Finance and Claims.

House Bill No. 1124, introduced by R. Harper, Gunderson: A bill for an act entitled: "An act appropriating money to the Legislative Auditor to be used to provide staff service in reviewing fiscal notes." Referred to Committee on Finance and Claims.

Senate Bill No. 733, introduced by Lowe, Drake, Sorensen, Siderius: A bill for an act entitled: "An act to re-appropriate money from the Long Range Building Program account, to the Department of Administration for the purpose of constructing a building to be used by the Department of Social and Rehabilitation Services; and providing an effective date." Referred to Committee on Finance and Claims.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

Rolfe present at this time.

Senate Bill No. 434 was concurred in by the following vote:

Ayes: Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bennetts, Bradley, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Driscoll, East, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Gunderson, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Olson, Prevost, Quilici, Regan, Rolfe, Schepens, Seifert, Shelden, Smith, Staigmiller, Stoltz, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Yardley, Mr. Speaker. Total 78.

Noes: None.

Excused: Ainsworth, Edland, Ellerd, Hageman, Hall, Holtz, Zimmer. Total 7.

Absent or not voting: Aageson, Bell, Brand, Brown, Cox, Greely, Hager, Huennekens, Norman, Roberts, Schye, Selstad, Stephens, Swanberg, Watt. Total 15.

Senate Bill No. 542 was concurred in by the following vote:

Ayes: Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Driscoll, East, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Olson, Prevost, Quilici, Regan, Rolfe, Schepens, Seifert, Selstad, Smith, Staigmiller, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Yardley, Mr. Speaker. Total 83.

Noes: None.

Excused: Ainsworth, Edland, Ellerd, Hageman, Hall, Holtz, Zimmer. Total 7.

Absent or not voting: Aageson, Brand, Brown, Cox, Norman, Roberts, Schye, Shelden, Stephens, Watt. Total 10.

Senate Bill No. 572 was concurred in by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Baucus, Bell, Brand, Campbell, Colberg, Cotton, Driscoll, East, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen,

Greely, Gunderson, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Olson, Prevost, Quilici, Regan, Rolfe, Schepens, Seifert, Selstad, Shelden, Smith, Staigmilller, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Yardley, Mr. Speaker. Total 78.

Noes: None.

Excused: Ainsworth, Edland, Ellerd, Hageman, Hall, Holtz, Zimmer. Total 7.

Absent or not voting: Bardanouve, Barrett, Bennetts, Bradley, Brown, Burnett, Castles, Clemow, Cox, Huennekens, Norman, Roberts, Schye, Stephens, Watt. Total 15.

Senate Bill No. 573 was concurred in by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Campbell, Castles, Clemow, Colberg, Cotton, Driscoll, East, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Rolfe, Schepens, Seifert, Selstad, Shelden, Smith, Staigmilller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Yardley, Mr. Speaker. Total 86.

Noes: Brand, Burnett. Total 2.

Excused: Ainsworth, Edland, Ellerd, Hageman, Hall, Holtz, Zimmer. Total 7.

Absent or not voting: Brown, Cox, Roberts, Schye, Watt. Total 5.

Senate Bill No. 574 was concurred in by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Campbell, Castles, Clemow, Colberg, Cotton, Driscoll, East, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmilller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Yardley, Mr. Speaker. Total 88.

Noes: Burnett. Total 1.

Excused: Ainsworth, Edland, Ellerd, Hageman, Hall, Holtz, Zimmer. Total 7.

Absent or not voting: Brown, Cox, Roberts, Watt. Total 4.

Senate Bill No. 650 was concurred in by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Driscoll, East, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Rolfe, Schepens, Selstad, Shelden, Smith, Staigmilller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Yardley, Mr. Speaker. Total 87.

Noes: Kimble. Total 1.

Excused: Ainsworth, Edland, Ellerd, Hageman, Hall, Holtz, Zimmer. Total 7.

Absent or not voting: Cox, Roberts, Schye, Seifert, Watt. Total 5.

Senate Joint Resolution No. 56 was concurred in by the following vote:

Ayes: Aageson, Asbjornson, Bell, Brown, Burnett, Campbell, Castles, Clemow, East, Fagg, Flynn, Forsgren, Glennen, Hager, Haines, H. Harper, Healy, Hubing, Johnston, Jones, Kessner, Kolstad, Kosena, Kvaalen, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marks, Mehrens, Mercer, Olson, Prevost, Quilici, Rolfe, Schepens, Seifert, Selstad, Smith, Tierney, Turner, Ulmer, Walborn. Total 50.

Noes: Baeth, Bardanouve, Baucus, Bennetts, Bradley, Brand, Colberg, Cotton, Driscoll, Fasbender, Fleming, Greely, Halvorson, R. Harper, Hodges, Holmes, Huennekens, Jacobsen, Kendall, Kimble, Laas, Marbut, Menahan, Murphy, Norman, Regan, Shelden, Staigmilller, Stephens, Stoltz, Swanberg, Towe, Turman, Warfield, Yardley, Mr. Speaker. Total 36.

Excused: Ainsworth, Edland, Ellerd, Hageman, Hall, Holtz, Zimmer. Total 7.

Absent or not voting: Barrett, Cox, Galt, Gunderson, Roberts, Schye, Watt. Total 7.

Senate Amendments to House Bill No. 661 were concurred in by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cox, Driscoll, East, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Rolfe, Schepens, Selstad, Smith, Staigmilller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Mr. Speaker. Total 84.

Noes: None.

Excused: Ainsworth, Edland, Ellerd, Hageman, Hall, Holtz, Zimmer. Total 7.

Absent or not voting: Bardanouve, Cotton, Lynch, Roberts, Schye, Seifert, Shelden, Watt, Yardley. Total 9.

Senate Amendments to House Bill No. 802 were concurred in by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Rolfe, Schepens, Seifert, Selstad, Staigmilller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Yardley, Mr. Speaker. Total 86.

Noes: None.

Excused: Ainsworth, Edland, Ellerd, Hageman, Hall, Holtz, Zimmer. Total 7.

Absent or not voting: Bardanouve, East, Roberts, Schye, Shelden, Smith, Watt. Total 7.

Senate Amendments to House Bill No. 938 were concurred in by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Cotton, Cox, Driscoll, East, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Gunderson,

Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Prevost, Quilici, Regan, Rolfe, Schepens, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Towe, Turner, Walborn, Warfield, Yardley, Mr. Speaker. Total 81.

Noes: Greely, Kendall, Laas, Marbut, Olson, Tierney, Turman. Total 7.

Excused: Ainsworth, Edland, Ellerd, Hageman, Hall, Holtz, Zimmer. Total 7.

Absent or not voting: Colberg, Roberts, Schye, Ulmer, Watt. Total 5.

Senate Amendments to House Bill No. 940 were concurred in by the following vote:

Ayes: Asbjornson, Baeth, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Cotton, Cox, Driscoll, East, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hager, Haines, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kosena, Kvaalen, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Rolfe, Schepens, Seifert, Selstad, Shelden, Smith, Staigmiller, Stoltz, Swanberg, Towe, Turman, Turner, Ulmer, Warfield, Yardley, Mr. Speaker. Total 78.

Noes: Aageson, Barrett, Clemow, Kolstad, Laas, Marbut, Stephens, Tierney, Walborn. Total 9.

Excused: Ainsworth, Edland, Ellerd, Hageman, Hall, Holtz, Zimmer. Total 7.

Absent or not voting: Bardanouve, Colberg, Halvorson, Roberts, Schye, Watt. Total 6.

Senate Amendments to House Bill No. 1021 were concurred in by the following vote:

Ayes: Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Cotton, Cox, Driscoll, East, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kosena, Kvaalen, Laas, Lee, Lien, Lombardi, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Rolfe, Schepens, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Warfield, Yardley, Mr. Speaker. Total 82.

Noes: Aageson, Kolstad, Lockrem, Lucas, Seifert, Ulmer, Walborn. Total 7.

Excused: Ainsworth, Edland, Ellerd, Hageman, Hall, Holtz, Zimmer. Total 7.

Absent or not voting: Colberg, Roberts, Schye, Watt. Total 4.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Fasbender moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading, under the rules of the previous sitting.

Motion carried.

Jones in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

March 5, 1974

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That House Bill No. 829 be amended in Section 5, page 6, line 3 by deleting the word "and" (73-2), and

As amended, do pass. (52-40)

That House Bill No. 1105 do pass. (82-2)

That Senate Bill No. 461 be concurred in. (74-0)

That Senate Bill No. 473 be placed below Senate Bill No. 623 on the board.

That Senate Bill No. 503 be placed below Senate Bill No. 649 on the board.

That Senate Bill No. 506 be concurred in. (55-11)

That Senate Bill No. 623 be concurred in. (72-5)

That Senate Bill No. 473 be concurred in. (77-3)

That Senate Bill No. 649 be concurred in. (66-6)

That Senate Bill No. 503 be amended in Section 1, Subsection (3), line 5 by striking the word "ten" and inserting the word "five" and by striking the figure "10" and inserting in lieu thereof the figure "5" and add a period after the figure, and

Further amend by striking all the material after the figure "\$10" in line 5 including lines 6 through 9 (47-34), and

As amended, be concurred in. (59-27)

That Senate Bills Nos. 651, 670, 679, 694, and Senate Joint Resolutions Nos. 42, 62 and 63 be placed below Senate Amendments to House Bill No. 705.

That Senate Amendments to House Bill No. 507 be concurred in. (46-42)

That Senate Amendments to House Bill No. 703 be not concurred in. (59-31)

That Senate Amendments to House Bill No. 705 be not concurred in. (58-30)

That Senate Bill No. 651 be concurred in. (68-0)

That Senate Bill No. 670 be concurred in. (60-19)

That the committee rise and report.

JONES, Chairman

As a substitute motion, Brand moved that Senate Amendments to House Bill No. 507 be segregated from the Committee of the Whole report and, as amended, the Committee of the Whole report be adopted.

Motion carried.

REPORTS OF STANDING COMMITTEES

March 5, 1974

I have examined House Bill No. 734 introduced by me and find the same to be correct.

SCHYE

March 5, 1974

I have examined House Bill No. 853 introduced by me and find the same to be correct.

ASBJORNSON

March 5, 1974

I have examined House Bill No. 786 introduced by me and find the same to be correct.

SWANBERG

March 5, 1974

I have examined House Bill No. 857 introduced by me and find the same to be correct.

BENNETTS

March 5, 1974

I have examined House Bill No. 927 introduced by me and find the same to be correct.

BAETH

March 5, 1974

I have examined House Joint Resolution No. 53 introduced by me and find the same to be correct.

AAGESON

March 5, 1974

I have examined House Bill No. 922 introduced by me and find the same to be correct.

LIEN

March 5, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills and resolution correctly enrolled: House Bill No. 734, House Bill No. 786, House Bill No. 853, House Bill No. 857, House Bill No. 922, House Bill No. 927, House Joint Resolution No. 53.

QUILICI, Chairman

March 5, 1974

The following bills and resolution will be signed on adjournment on March 5, 1974, in the office of the Speaker of the House of Representatives: House Bill No. 734, House Bill No. 786, House Bill No. 853, House Bill No. 857, House Bill No. 922, House Bill No. 927, House Joint Resolution No. 53, Senate Bill No. 499, Senate Bill No. 709.

EDWIN A. SMITH, Chief Clerk
House of Representatives

March 5, 1974

Mr. Speaker: We, your Committee on Taxation, having had under consideration House Bill No. 527, respectfully report as follows: That House Bill No. 527 be amended on page 1, title, line 6 after the word "act" by striking the words and punctuation "providing for the imposition of an annual disturbed land fee;" and

Be further amended by striking the first seven (7) sections in their entirety, and

Be further amended on page 5, line 21 after the word "Section" by striking the figure "8" and inserting in lieu thereof the figure "1", and

Be further amended on page 7, Section 1, beginning on line 15 by striking lines 15 through 25 in their entirety, and also striking line 1 on page 8 and inserting in lieu thereof the following material:

"(a) For each ton of coal having a British thermal unit (B.T.U.) rating per pound of seven thousand (7,000) or less, twelve cents (\$.12) per ton, or sixteen percent (16%) of the delivered price of the coal FOB Mine, whichever is greater;

(b) For each ton of coal having a B.T.U. rating of seven thousand one (7,001) to eight thousand (8,000), twenty-two cents (\$.22) per ton, or sixteen percent (16%) of the delivered price of the coal FOB Mine, whichever is greater;

(c) For each ton of coal having a B.T.U. rating of eight thousand one (8,001) to nine thousand (9,000), thirty-four cents (\$.34) per ton, or sixteen percent (16%) of the delivered price of the coal FOB Mine, whichever is greater;

(d) For each ton of coal having a B.T.U. rating of nine thousand one (9,001) to ten thousand (10,000), forty cents (\$.40) per ton, or sixteen percent (16%) of the delivered price of the coal FOB Mine, whichever is greater;

(e) For each ton of coal having a B.T.U. rating of ten thousand one (10,001) to eleven thousand (11,000), fifty cents (\$.50) per ton, or sixteen percent (16%) of the delivered price of the coal FOB Mine, whichever is greater;

(f) For each ton of coal having a B.T.U. rating of eleven thousand one (11,001) and up, sixty cents (\$.60) per ton, or sixteen percent (16%) of the delivered price of the coal FOB Mine, whichever is greater.", and

Be further amended on page 8, Section 1, Subsection 3, beginning on line 4 by striking the words and figure "five thousand (5,000)" and inserting in lieu thereof the words and figure "ten thousand (10,000)", and

Be further amended on page 8, Section 1, Subsection 3, line 7 after the word and punctuation "case," by striking the words and figure "five thousand (5,000)" and inserting in lieu thereof the words and figure "ten thousand (10,000)", and

Be further amended on page 9, after Section 1, after line 1 by inserting the following material:

"Section 2. The department of revenue shall make rules and regulations to implement this act.", and

As amended, do pass.

WATT, Chairman

Report adopted. -

March 5, 1974

Mr. Speaker: We, your Committee on Taxation, having had under consideration House Bill No. 962, respectfully report as follows: That House Bill No. 962 be amended in the second reading bill on page 2, Section 1, line 3 after the word "by" by striking the words "the Montana Gaming Control Act or", and

Be further amended on page 2, Section 1, line 5 after the word "person" by striking the words "or partnership holding a license to conduct or permit" and inserting in lieu thereof the words ", partnership, corporation, or association conducting or permitting", and

Be further amended on page 2, Section 1, line 7 after the word "or" by striking the word "offer" and inserting in lieu thereof the word "offering", and

Be further amended on page 2, Section 1, line 10 after the word "by" by striking the words "the licensee" and inserting in lieu thereof the words "such person, partnership, corporation, or association", and

Be further amended on page 2, Section 1, line 14 after the word "the" by striking the word "licensee" and inserting in lieu thereof the words "person, partnership, corporation, or association", and

Be further amended on page 2, Section 2, beginning on line 21 by striking Section 2 in its entirety, and

Be further amended on page 3, line 16 after the word "Section" by striking the figure "3" and inserting in lieu thereof the figure "2", and

Be further amended on page 4, Section 2, line 1 after the word "paid" by striking the punctuation and words", and the license of any licensee delinquent in the payment of taxes shall, upon proper notice and hearing, be suspended while the tax remains delinquent and until it is paid together with all interest due thereon", and

Be further amended on page 4, Section 4, beginning on line 6 by striking Section 4 in its entirety, and

Be further amended on page 4, line 14 after the word "section" by striking the figure "5" and inserting in lieu thereof the figure "3", and

Be further amended on page 4, Section 3, line 14 after the figure "3." by striking the word "licensee" and inserting in lieu thereof the words "person, partnership, corporation, or association", and

Be further amended on page 4, Section 3, line 15 after the word "each" by striking the word "licensee" and inserting in lieu thereof the words "person, partnership, corporation, or association", and

Be further amended on page 4, Section 3, line 18 after the word "the" by striking the word "licensee" and inserting in lieu thereof the words "person, partnership, corporation, or association", and

Be further amended on page 4, Section 3, line 21 after the word "each" by striking the word "licensee" and inserting in lieu thereof the words "person, partnership, corporation, or association", and

Be further amended on page 5, Section 3, line 2 after the word "A" by striking the word "licensee" and inserting in lieu thereof the words "person, partnership, corporation, or association", and

Be further amended on page 5, Section 3, Subsection (4), beginning on line 4 by striking Subsection (4) in its entirety, and

Be further amended on page 5, line 8 after the word "section" by striking the figure "6" and inserting in lieu thereof the figure "4", and

Be further amended on page 5, Section 4, line 8 after the word and punctuation "act." by inserting the following material:

"(1) Failure to keep proper records as provided by subsection two (2) of section three (3) and by regulations of the department, made pursuant to this act, is a misdemeanor punishable by a fine not to exceed one thousand dollars (\$1,000).", and

Be further amended on page 5, line 8 after the word and punctuation "act." by striking the figure "(1)" and inserting in lieu thereof the figure "(2)", and

Be further amended on page 5, beginning on line 17 by striking the existing Subsection (2) in its entirety, and

Be further amended on page 5, line 22 after the word "section" by striking the figure "7" and inserting in lieu thereof the figure "5", and

As amended, do pass.

WATT, Chairman

Report adopted.

March 5, 1974

Mr. Speaker: We, your Committee on Finance and Claims, having had under consideration House Bill No. 1028, respectfully report as follows: That House Bill No. 1028 be amended as follows:

Amend Section 1, page 1, line 15 following the word "board" by omitting the punctuation and word ". The" and inserting in lieu thereof the following material: "to the extent necessary to assure full federal funding. If retention by the regional boards of all fees received for such treatment ceases to be a requirement for full federal funding, then forty percent (40%) of these fees shall be deposited in the general fund. Subject to the provisions of this act, the", and

As amended, do pass.

BARDANOUE, Chairman

Report adopted.

March 5, 1974

Mr. Speaker: We, your Committee on Legislative Administration, having had under consideration House Resolution No. 60, respectfully report as follows: That House Resolution No. 60 be adopted.

LYNCH, Vice-Chairman

Report adopted.

March 5, 1974

Mr. Speaker: We, your Committee on Finance and Claims, having had under consideration Senate Bill No. 42, respectfully report as follows: That Senate Bill No. 42 be amended as follows:

Amend the title of the third reading bill, page 1, line 13 following the figures "1947" by inserting the punctuation and words "; and to provide an effective date", and

Amend Section 1, page 1, line 20 following the word and punctuation "child" by inserting the words "for welfare purposes", and

Amend Section 1, page 1, line 20 following the word "means" by inserting the punctuation and letter "(A)" and by striking the punctuation and letter "(A)" following the words "a child" on line 20, and

Amend Section 1, page 1, line 21 following the punctuation and letter "(B)" by inserting the words "a person", and

Amend Section 1, page 1, line 23 following the word "state" by striking the word "welfare", and

Amend Section 1, page 1, line 23 following the word "department" by striking the words "and such" and by inserting in lieu thereof the punctuation and word ". Such", and

Amend Section 1, page 1, line 24 following the word and punctuation "above" by striking the words "who have been" and by inserting the words "must be", and

Amend page 4, following line 8 by inserting a new Section 4 to read as follows:

"Section 4. This act shall be effective July 1, 1975.", and

As amended, be concurred in.

BARDANOUE, Chairman

Report adopted.

March 5, 1974

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration Senate Bill No. 301, respectfully report as follows: That Senate Bill No. 301 be not concurred in.

LEE, Chairman

March 5, 1974

Mr. Speaker: We, your Committee on Highways and Transportation, having had under consideration Senate Bill No. 367, respectfully report as follows: That Senate Bill No. 367 be amended on page 8, Section 9, Subsection (2), line 2 by striking the following material: "six cents (\$.06)" and inserting in lieu thereof the following: "nine cents (\$.09)", and

As amended, be concurred in.

LAAS, Chairman

Report adopted.

March 5, 1974

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration Senate Bill No. 440, respectfully report as follows: That Senate Bill No. 440 be not concurred in.

LEE, Chairman

March 5, 1974

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration Senate Bill No. 502, respectfully report as follows: That Senate Bill No. 502 be not concurred in.

LEE, Chairman

March 5, 1974

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration Senate Bill No. 553, respectfully report as follows: That Senate Bill No. 553 be amended on page 1, Section 3, Subsection (1), line 21 of the third reading copy, by omitting the word "acupuncture" and inserting in lieu thereof the new material "medical examiners", and

Be further amended on page 2, Section 3, Subsection (3), line 8 after the word "of" by omitting the word "acupuncture" and inserting in lieu thereof the new material "medical examiners", and

Be further amended on page 2, Section 3, Subsection (4), line 12 after the word "of" by omitting the word "acupuncture" and inserting in lieu thereof the new material "medical examiners", and

Be further amended on pages 3 through 5, Sections 5 through 7, beginning with line 18 on page 3 and continuing through line 14 on page 5 by omitting the material therein in its entirety and renumbering the subsequent sections to conform numerically, and

As amended, be concurred in.

LEE, Chairman

Report adopted.

March 5, 1974

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 556, respectfully report as follows: That Senate Bill No. 556 be amended as follows:

Note: All amendments pertain to the third reading copy of Senate Bill No. 556.

Be amended on page 1, line 9, title, after the material "12-331[.]" by striking the word "and" and inserting in lieu thereof the punctuation mark ";", and

Be further amended on page 1, line 9, title, after the material "12-332" by reinserting the material "and 12-332.1", and

Be further amended on page 1, Section 1, line 14 after the material "Act." by adding a new Section 2 to read as follows:

"Section 2. As used in this act, 'leadership' means the Speaker of the House and the President of the Senate, the Majority and Minority Leader of each house and a member who is licensed to practice law in Montana chosen from the Minority party in each house by his Minority leader. The Speaker, President, Majority and Minority leaders may choose another member to represent him if he so chooses.", and renumber subsequent sections to conform numerically, and

Be further amended on page 1, present Section 3, line 19 after the material "by the" by striking the material "supreme court" and inserting in lieu thereof the new material "leadership", and

Be further amended on page 3, present Section 4, line 1 after the word "the" by striking the material "supreme court and confirmed by the senate of the state of Montana," and inserting in lieu thereof the new material "leadership", and

Be further amended on page 3, present Section 4, line 3 after the material "who are" by striking the material "deemed by the supreme court to be", and

Be further amended on page 3, present Section 5, line 9 after the material "approval of the" by striking the material "supreme court" and inserting in lieu thereof the new material "leadership", and

Be further amended on page 3, present Section 6, line 20 after the word "The" by striking the material "supreme court of Montana" and inserting in lieu thereof the new material "leadership", and

Be further amended on page 4, present Section 6, line 4 after the material "approval of the" by striking the material "supreme court" and inserting in lieu thereof the new material "leadership", and

Be further amended on page 4, present Section 7, lines 18, 19 and 20 after the material "staff." by striking the material "The supreme court shall include all costs and expenses of the code commissioner in its annual budget.", and

Be further amended on page 4, present Section 8, line 23 after the material "the" by striking the material "supreme court" and inserting in lieu thereof the new material "leadership", and

Be further amended on page 5, present Section 9, line 6 after the word "the" by striking the material "supreme court" and inserting in lieu thereof the new material "leadership", and

Be further amended on page 5, present section 9, line 10 after the material "code." by striking the material "They" and inserting in lieu thereof the new material "He", and

Be further amended on page 5, present Section 9, line 13 after the material "necessary in" by striking the word "their" and inserting in lieu thereof the new material "his", and

Be further amended on page 5, present Section 10, line 15 after the word "the" by striking the material "supreme court" and inserting in lieu thereof the new material "leadership", and

Be further amended on page 6, present Section 11, line 6 after the material "12-331[.]" by striking the material "and" and inserting in lieu thereof the punctuation mark ",", and

Be further amended on page 6, present Section 11, line 6 after the material "12-332" by reinserting the material "and 12-332.1", and

As amended, be concurred in.

YARDLEY, Vice-Chairman

Report adopted.

March 5, 1974

Mr. Speaker: We, your Committee on Natural Resources, having had under consideration Senate Bill No. 558, respectfully report as follows: That Senate Bill No. 558 be concurred in.

SHELDEN, Chairman

Report adopted.

March 5, 1974

Mr. Speaker: We, your Committee on Taxation, having had under consideration Senate Bill No. 599, respectfully report as follows: That Senate Bill No. 599 be amended on page 3 of the third reading bill, Section 1, line 10 after the word "act." by inserting the following material: "The State Tax Appeal Board shall not have authority to amend or repeal any administrative rule or regulation duly promulgated unless the board finds that such rule or regulation is arbitrary, capricious, or otherwise unlawful.", and

As amended, be concurred in.

WATT, Chairman

Report adopted.

March 5, 1974

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration Senate Bill No. 678, respectfully report as follows: That Senate Bill No. 678 be concurred in.

LEE, Chairman

Report adopted.

March 5, 1974

Mr. Speaker: We, your Committee on Natural Resources, having had under consideration Senate Bill No. 681, respectfully report as follows: That Senate Bill No. 681 be amended in the third reading bill as follows:

Be amended on page 3, Section 3, Subsection (5), line 17 by omitting the word "activities", and further amend on line 17 following the word "site" by inserting the following material: "disturbances, excluding prospecting.", and

Be further amended on page 15, Section 17, line 25 following the word "and" by inserting the words "proven specific", and

As amended, be concurred in.

SHELDEN, Chairman

Report adopted.

March 5, 1974

Mr. Speaker: We, your Committee on Natural Resources, having had under consideration Senate Bill No. 684, respectfully report as follows: That Senate Bill No. 684 be concurred in.

SHELDEN, Chairman

Report adopted.

March 5, 1974

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 715, respectfully report as follows: That Senate Bill No. 715 be amended as follows:

Note: All amendments pertain to third reading copy of Senate Bill No. 715.

Be amended on page 1, line 4, key line, by striking the material "10-501, 94-2-101", and

Be further amended on page 1, line 10 after the word "date" by striking the material "; and amending sections 10-501 and 94-2-101, R.C.M. 1947", and

Be further amended on page 2, Section 3, line 19 after the word "consent" by striking the word "shall" and inserting in lieu thereof the word "may", and

Be further amended on page 3, Section 4, Subsection (2), line 11 after the material "absence of" by striking the material "the written consent of", and

Be further amended on page 3, Section 4, Subsection (a), line 12 after the material "(a)" by inserting the new material "The written notice to", and

Be further amended on page 3, Section 4, Subsection (b), line 14 after the material "(b)" by inserting the new material "The written notice to", and

Be further amended on page 3, Section 4, Subsection (4), line 20 after the word "No" by striking the material "court, judge", and

Be further amended on page 4, Section 4, Subsection (5), line 1 after the material "(5)" by striking the material "Violation of subsections (1) and" and inserting in lieu thereof the new material "Violations of subsection (1), (2) or", and

Be further amended on page 4, Section 5, Subsection (5), line 2 after the material "section is a" by striking the word "felony" and inserting in lieu thereof the new material "misdemeanor", and

Be further amended on page 4, section 5, Subsection (1), line 13 after the material "premature infant" by striking the material "or fetus aborted" and inserting in lieu thereof the new material "born", and

Be further amended on page 4, Section 5, Subsection (1), line 13 after the material "such infant" by striking the material "or fetus", and

Be further amended on page 4, Section 5, Subsection (2), line 15 after the word "infant" by striking the material "or fetus is aborted" and inserting in lieu thereof the new material "which is the subject of abortion if is born", and

Be further amended on page 4, Section 5, Subsection (b), line 23 after the material "premature infant" by striking the material "or fetus", and

Be further amended on page 4, Section 5, Subsection (3), line 25 after the material "premature infant" by striking the material "or fetus aborted" and inserting in lieu thereof the new material "born", and

Be further amended on page 5, Section 5, Subsection (3), line 3 after the material "premature infant" by striking the material "or fetus aborted" and inserting in lieu thereof the new material "born", and

Be further amended on page 8, Section 7, Subsection (6), line 13 after the material "act" by striking the material "and the attorney general shall periodically make random review of the records of the department to discover any such violation", and

Be further amended on page 8, Section 7, Subsection (7), line 16 by striking all of Subsection (7) in its entirety and renumbering subsequent sections to conform numerically, and

Be further amended on page 8, Section 8, Subsection (1), line 19 through page 9, line 6 by striking all of Subsection (1) in its entirety and renumbering subsequent subsections to conform numerically, and

Be further amended on page 9, Section 8, present Subsection (2), line 9 after the material "convictions of" by striking the material "such hospital or facility" and inserting in lieu thereof the new material "its staff or governing board", and

Be further amended on page 10, Section 8, Subsection (4), line 8 after the material "(4)" by striking the material "Any person who knowingly interferes or attempts" and inserting in lieu thereof the new material "It shall be unlawful to interfere or attempt", and

Be further amended on page 10, Section 8, Subsection (4), line 10 after the word "section" by striking the material " , whether by duress, coercion, or any other means, shall be guilty of a misdemeanor", and

Be further amended on page 11, Section 11, line 14 after the material "Section 11." by striking the material "Effect of miscarriage provisions.", and

Be further amended on page 11, Section 11, lines 17 through 19 after the material "legislation." by striking the material "Section 94-5-611 and 94-5-612 are retained in force, as modified by this act and as limited by the rulings of courts and paramount law.", and

Be further amended on page 11, line 20 through page 27, line 22 by striking all of Sections 12 and 13 in their entirety and renumbering subsequent sections accordingly, and

As amended, be concurred in.

YARDLEY, Vice-Chairman

Report adopted.

March 5, 1974

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration Senate Joint Resolution No. 53, respectfully report as follows: That Senate Joint Resolution No. 53 be amended on page 2, line 1 of the third reading bill, after the material "physicians' assistants" by inserting the material "and to conduct public hearings after notice upon all matters under consideration", and

As amended, be concurred in.

LEE, Chairman

Report adopted.

March 5, 1974

Mr. Speaker: We, your Committee on Public Health, Welfare and Safety, having had under consideration Senate Joint Resolution No. 67, respectfully report as follows: That Senate Joint Resolution No. 67 be concurred in.

LEE, Chairman

Report adopted.

REPORTS OF SELECT COMMITTEES

March 4, 1974

Joint Conference Committee Report on House Amendments To Senate Bill No. 524

Mr. President and Speaker of the House:

We, your Joint Conference Committee met March 4, 1974, and considered House Committee on Business and Industry Amendments dated February 22, 1974, and House Committee of the Whole Amendments dated February 26, 1974, and recommend as follows:

That the Senate accede to the House Committee on Business and Industry Amendments and House Committee of the Whole Amendments to Senate Bill No. 524;

And that Senate Bill No. 524, as so amended, be concurred in.

FOR THE SENATE:

FOR THE HOUSE:

HALL

SWANBERG

DEWOLFE

HAGER

HAZELBAKER

March 5, 1974

Free Joint Conference Committee Report On House Bill No. 233

Mr. President and Speaker of the House:

We, your Free Joint Conference Committee met March 5 and considered Senate Committee on Taxation Amendments dated February 14, 1974 and recommend as follows:

That the Senate recedes from its Committee on Taxation Amendments dated February 14, 1974; and

Further that the Free Joint Conference Committee recommends that House Bill No. 233 be amended as follows:

Amend the third reading copy, pages 5 and 6, Section 3, beginning with line

24 on page 5 and continuing through line 3 on page 6, by striking the underscored material therein in its entirety and by inserting in lieu thereof the following:

"All tax-paid decals expire on December 31 of the year in which they are issued and application for the issuance of a tax-paid decal must be filed with the county treasurer not later than January 31 of each year.";

And that House Bill No. 233, as so amended, be concurred in.

FOR THE SENATE:

GRAHAM

McOMBER

CARL

FOR THE HOUSE:

BARDANOUVE

MENAHAN

OLSON

MESSAGES FROM THE OTHER HOUSE

March 5, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate on motion, duly carried, requests the return of House Bill No. 871 for further consideration.

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

MOTIONS

Fasbender moved that the Speaker be authorized to appoint a Free Conference Committee to meet with a like committee from the Senate on Senate Amendments to House Bills Nos. 703 and 705.

Motion carried.

Fasbender moved that the House adjourn until 1:00 p.m., March 6, 1974.

Motion carried.

House adjourned.

HAROLD E. GERKE, Speaker

EDWIN A. SMITH, Chief Clerk

FIFTY-FIRST LEGISLATIVE DAY

Helena, Montana
March 6, 1974

House Chambers
Capitol Building

House convened at 1:00 p.m., Mr. Speaker in the Chair.

Invocation by Richard Thompson.

Pledge of Allegiance to the Flag.

Roll call. All members present except Edland, Ellerd, Hageman, Haines, Hall, Holtz and Zimmer, all excused.

Quorum present.

Mr. Speaker: We, your Committee on Bills and Journal, having examined the daily journal for the Fiftieth Legislative Day, find the same to be correct.

QUILICI, Chairman

COMMUNICATIONS AND PETITIONS

The Speaker appointed the following New Conference Committee to meet with a like committee from the Senate on House Amendments to Senate Bill No. 459: Regan, Chairman; Greely and Marbut.

The Speaker appointed the following Conference Committee to meet with a like committee from the Senate on Senate Amendments to House Bill No. 888: Lien, Chairman; Manuel and Lund.

The Speaker appointed the following Free Conference Committee to meet with a like committee from the Senate on House Bill No. 705: Lien, Chairman; Laas and Ulmer.

The Speaker appointed the following Free Conference Committee to meet with a like committee from the Senate on House Bill No. 703: Lien, Chairman; Laas and Ulmer.

REPORTS OF STANDING COMMITTEES

March 6, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly engrossed: House Bill No. 829, House Bill No. 906.

QUILICI, Chairman

March 6, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill considered correctly engrossed: House Bill No. 1105.

QUILICI, Chairman

March 6, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following resolution correctly printed: House Resolution No. 60.

QUILICI, Chairman

March 6, 1974

The following bills and resolution were signed in the office of the Speaker of the House of Representatives on March 5, 1974: House Bill No. 734, House Bill No. 786, House Bill No. 853, House Bill No. 857, House Bill No. 922, House Bill No. 927, House Joint Resolution No. 53, Senate Bill No. 499, Senate Bill No. 709.

EDWIN A. SMITH, Chief Clerk
House of Representatives

March 5, 1974

Mr. Speaker: We, your Committee on Legislative Administration, respectfully reports as follows: That the following attache of the House terminate at the close of business on March 2, 1974:

Martha HerleviProofreader

LYNCH, Vice-Chairman

Report adopted.

March 6, 1974

Mr. Speaker: We, your Committee on Taxation, having had under consideration House Bill No. 952, respectfully report as follows: That House Bill No. 952 do not pass.

WATT, Chairman

March 6, 1974

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration House Resolution No. 67, respectfully report as follows: That House Resolution No. 67 be adopted.

STAIGMILLER, Chairman

Report adopted.

March 5, 1974

Mr. Speaker: We, your Committee on Natural Resources, having had under consideration Senate Bill No. 559, respectfully report as follows: That Senate Bill No. 559 be amended in the third reading bill as follows:

Be amended in the key line, before the figures "50-1502" by inserting the figures "50-1036", and

Be further amended in the title, page 1, line 7 following the word "scoria" by inserting the words "and phosphate rock", and

Be further amended in the title, page 1, line 8 following the word "sections" by inserting the figures "50-1036", and

Be further amended on page 1, before Section 1, after line 11 by inserting a new Section 1 to read as follows:

"Section 1. Section 50-1036, R.C.M. 1947, is amended to read as follows:

'50-1036. Definitions. Unless the context requires otherwise in this act:

- (1) "mineral" means coal, clay [phosphate rock], and uranium;
- (2) "overburden" means all of the earth and other materials which lie above a natural mineral deposit and also means such earth and other material after removal from their natural state in the process of strip mining;
- (3) "strip mining" means any part of the process followed in the production of mineral by the open cut method including mining by the auger method or any similar method which penetrates a mineral deposit and removes mineral directly through a series of openings made by a machine which enters the deposit from a surface excavation, or any other mining method or process in which the strata or overburden is removed or displaced in order to recover the mineral;
- (4) "prospecting" means the removal of overburden, core drilling, construction of roads or any other disturbance of the surface for the purpose of determining the location, quantity, or quality of a natural mineral deposit;
- (5) "area of land affected" means the area of land from which overburden is to be or has been removed and upon which the overburden is to be or has been deposited and includes all lands affected by the construction of new railroad loops and roads or the improvement or use of existing railroad loops and roads to gain access and to haul the mineral;
- (6) "operation" means all of the premises, facilities, railroad loops, roads, and equipment used in the process of producing and removing mineral from a designated strip mine area, or prospecting for the purpose of determining the location, quality, or quantity of a natural mineral deposit;
- (7) "operator" means a person engaged in strip mining who removes or intends to remove more than ten thousand (10,000) cubic yards of mineral or overburden;
- (8) "person" means a person, partnership, corporation, association, or other legal entity, or any political subdivision, or agency of the state;
- (9) "method of operation" means the method or manner by which the cut or open pit is made; the overburden is placed or handled, water is controlled and other acts are performed by the operator in the process of uncovering and removing the minerals that affect the reclamation of the area of land affected;
- (10) "topsoil" means the unconsolidated mineral matter naturally present on the surface of the earth that has been subjected to and influenced by genetic and envi-

ronmental factors of parent material, climate, macro- and micro-organisms, and topography, all acting over a period of time, and that is necessary for the growth and regeneration of vegetation on the surface of the earth;

(11) "department" means the department of state lands provided for in title 82A, chapter 11;

(12) "commissioner" means the commissioner of state lands provided for in section 82A-1104;

(13) "board" means the board of land commissioners provided for in article x, section 4 of the constitution of this state;

(14) "reclamation" means backfilling, grading, highwall reduction, topsoiling, planting, revegetation, and other work to restore an area of land affected by strip mining under a plan approved by the department;

(15) "degree" means from the horizontal, and in each case is subject to a tolerance of five percent (5%) error;

(16) "contour strip mining" means that strip mining method commonly carried out in areas of rough and hilly topography in which the coal or mineral seam outcrops along the side of the slope and entrance is made to the seam by excavating a bench or table cut at and along the site of the outcropping with the excavated overburden commonly being cast down the slope below the mineral seam and the operating bench;

(17) "bench" means the ledge, shelf, table, or terraces formed in the contour method of strip mining;

(18) "fill bench" means that portion of a bench or table which is formed by depositing overburden beyond or down slope from the cut section as formed in the contour method of strip mining;

(19) "abandoned" means an operation where no mineral is being produced and where the department determines that the operation will not continue or resume.", and renumber following sections to conform numerically, and

Be further amended on page 1, Section 1, line 16 following the word and punctuation "scoria," by inserting the words and punctuation "phosphate rock," and

Be further amended on page 1, Section 1, line 22 following the word and punctuation "scoria," by inserting the words and punctuation "phosphate rock," and

Be further amended on page 2, Section 2, line 9 following the word and punctuation "scoria," by inserting the words and punctuation "phosphate rock," and

Be further amended on page 2, Section 3, Subsection (2), line 24 following the word and punctuation "scoria," by inserting the words and punctuation "phosphate rock," and

Be further amended on page 3, Section 3, Subsection (2), line 4 following the word and punctuation "scoria," by inserting the words and punctuation "phosphate rock," and

Be further amended on page 3, Section 3, Subsection (4), line 12 following the word and punctuation "scoria," by inserting the words and punctuation "phosphate rock," and

As amended, be concurred in.

SHELDEN, Chairman

Report adopted.

March 5, 1974

Mr. Speaker: We, your Committee on Highways and Transportation, having had under consideration Senate Bill No. 562, respectfully report as follows: That Senate Bill No. 562 be concurred in.

LAAS, Chairman

Report adopted.

March 6, 1974

Mr. Speaker: We, your Committee on Taxation, having had under consideration Senate Bill No. 580, respectfully report as follows: That Senate Bill No. 580 be not concurred in.

WATT, Chairman

March 5, 1974

Mr. Speaker: We, your Committee on Highways and Transportation, having had under consideration Senate Bill No. 593, respectfully report as follows: That Senate Bill No. 593 be not concurred in.

LAAS, Chairman

March 5, 1974

Mr. Speaker: We, your Committee on Highways and Transportation, having had under consideration Senate Bill No. 619, respectfully report as follows: That Senate Bill No. 619 be concurred in.

LAAS, Chairman

Report adopted.

March 6, 1974

Mr. Speaker: We, your Committee on Taxation, having had under consideration Senate Bill No. 636, respectfully report as follows: That Senate Bill No. 636 be not concurred in.

WATT, Chairman

March 5, 1974

Mr. Speaker: We, your Committee on Highways and Transportation, having had under consideration Senate Bill No. 692, respectfully report as follows: That Senate Bill No. 692 be not concurred in.

LAAS, Chairman

In accordance with the 24 hour rule, the adverse committee report on Senate Bill No. 301 was adopted by the following vote:

Ayes: Aageson, Ainsworth, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brown, Burnett, Campbell, Castles, Cox, Fagg, Fasbender, Galt, Glennen, Greely, Gunderson, Hager, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Johnston, Jones, Kendall, Kimble, Kolstad, Kosena, Laas, Lee, Lien, Lombardi, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Turman, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 72.

Noes: Asbjornson, Ulmer. Total 2.

Excused: Edland, Ellerd, Hageman, Haines, Hall, Holtz, Zimmer. Total 7.

Absent or not voting: Brand, Clemow, Colberg, Cotton, Driscoll, East, Fleming, Flynn, Forsgren, Huennekens, Jacobsen, Kessner, Kvaalen, Lockrem, Lucas, Olson, Tierney, Towe, Turner. Total 19.

In accordance with the 24 hour rule, the adverse committee report on Senate Bill No. 440 was adopted by the following vote:

Ayes: Aageson, Ainsworth, Baeth, Bardanouve, Baucus, Bennetts, Campbell, Castles, Clemow, East, Fagg, Fasbender, Galt, Gunderson, Halvorson, Healy, Hodges, Holmes, Hubing, Jacobsen, Johnston, Jones, Kendall, Kimble, Kosena,

Kvaalen, Laas, Lee, Lien, Lombardi, Lund, McKittrick, Manuel, Mehrens, Menahan, Mercer, Norman, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Selstad, Shelden, Smith, Staigmillar, Stephens, Stoltz, Swanberg, Turman, Walborn, Warfield, Watt, Mr. Speaker. Total 56.

Noes: Asbjornson, Barrett, Bell, Brown, Burnett, Cox, Glennen, Hager, H. Harper, R. Harper, Kolstad, Lockrem, Lundgren, Lynch, Mann, Marbut, Marks, Murphy, Olson, Tierney, Turner, Ulmer. Total 22.

Excused: Edland, Ellerd, Hageman, Haines, Hall, Holtz, Zimmer. Total 7.

Absent or not voting: Bradley, Brand, Colberg, Cotton, Driscoll, Fleming, Flynn, Forsgren, Greely, Huennekens, Kessner, Lucas, Seifert, Towe, Yardley. Total 15.

In accordance with the 24 hour rule, the adverse committee report on Senate Bill No. 502 was adopted by the following vote:

Ayes: Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bennetts, Bradley, Brown, Campbell, Castles, Clemow, East, Fagg, Fasbender, Flynn, Glennen, Gunderson, Hager, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Johnston, Jones, Kendall, Kimble, Kolstad, Kosena, Laas, Lee, Lombardi, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Mehrens, Murphy, Norman, Olson, Quilici, Regan, Roberts, Schye, Seifert, Shelden, Staigmillar, Stephens, Stoltz, Swanberg, Tierney, Turman, Turner, Warfield, Watt, Yardley, Mr. Speaker. Total 62.

Noes: Aageson, Bell, Burnett, Cox, Fleming, Kvaalen, Lien, Lockrem, Mann, Marks, Mercer, Prevost, Rolfe, Selstad, Ulmer, Walborn. Total 16.

Excused: Edland, Ellerd, Hageman, Haines, Hall, Holtz, Zimmer. Total 7.

Absent or not voting: Brand, Colberg, Cotton, Driscoll, Forsgren, Galt, Greely, Huennekens, Jacobsen, Kessner, Lucas, Menahan, Schepens, Smith, Towe. Total 15.

REPORT OF SELECT COMMITTEE

March 6, 1974

Free Joint Conference Committee Report House Bill No. 732

Mr. President and Speaker of the House:

We, your Free Joint Conference Committee on House Bill No. 732, beg leave to report as follows:

That the Senate recede from paragraph 1 of its Committee on Natural Resources amendments dated February 23, 1974, and that House Bill No. 732 be amended in lieu thereof as follows:

Amend Section 1, page 2, line 18, following the word and punctuation "hole," by inserting the following material: "unless the surface owner agrees in writing, with the approval of the board, to a different plan of restoration," and

That the House accede to paragraphs 2 and 3 of the Senate amendments.

And that House Bill No. 732, as so amended, be concurred in.

FOR THE SENATE:

McGOWAN

BOLLINGER

McCALLUM

FOR THE HOUSE:

LIEN

GUNDERSON

LUND

MESSAGES FROM THE OTHER HOUSE

March 5, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was this day on Committee of the Whole, not concurred in, report adopted, and the said bill is herewith returned to the House:

House Bill No. 775 introduced by Cox, Ulmer, et al

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

March 5, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was this day on Committee report, not concurred in, report adopted, and the said bill is herewith returned to the House:

House Bill No. 657 introduced by Greely

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

March 5, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate acceded to the request of the House, and authorized the President to appoint a Conference Committee to meet with a like committee of the House to confer on Senate amendments to House Bill No. 888.

The President appointed the following members:

Senator James, Chairman
Senator McOmber
Senator Lowe

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

March 5, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day failed to concur in House amendments to Senate Bill No. 620, the President was authorized to appoint a Conference Committee, and the Senate respectfully requests the House to appoint a like committee to confer on House amendments to Senate Bill No. 620.

The President appointed the following members:

Senator Boylan, Chairman
Senator Lowe
Senator Romney

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

MOTIONS

Fasbender moved that the Speaker be authorized to appoint a Conference

Committee to meet with a like committee from the Senate on House Amendments to Senate Bill No. 620.

Motion carried.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following resolutions were introduced, read first time and referred to committees:

House Resolution No. 71, introduced by Bell, Marks, Lynch, Quilici: A Resolution of the House of Representatives of the State of Montana urging Congress to approve H.R. 12260, calling for a suspension of the requirement of annual assessment work on mining claims. Referred to Committee on Natural Resources.

House Resolution No. 72, introduced by Prevost, Schepens, Kvaalen, Olson, Manuel, Stephens, Fleming, Lien, Jacobsen: A Resolution of the House of Representatives of the State of Montana requesting the United States Congress to investigate and take action to limit the overseas export of nitrogen and phosphate fertilizers produced in the United States; inventory available domestic fertilizer supplies and demand; implement an equitable allocation program of existing supplies to states. Referred to Committee on Agriculture, Livestock and Irrigation.

House Resolution No. 73, introduced by Committee on Taxation: A Resolution of the House of Representatives of the State of Montana requesting the Department of Intergovernmental Relations or the Department of Planning and Community Development, if it is created, in cooperation with the Department of Revenue to explore ways in which rural counties, school districts and communities can be assisted in meeting the increase in local governmental services required in areas where major industrial or commercial development is taking place or is about to take place, and to obtain such federal and other funds as may be available for such a study or for assistance; and requesting the Governor to assist in the obtaining of federal and other funds. Referred to Committee on Taxation.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Fasbender moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading, under the rules of the previous sitting.

Motion carried.

Bennetts in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

March 6, 1974

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That House Bill No. 953 do pass. (82-0)

That House Bill No. 1111 do pass. (83-1)

That House Resolution No. 55 be passed to the bottom of the board.

That Senate Bill No. 42 be concurred in. (66-18)

That Senate Bill No. 367 be passed to the bottom of the board.

That Senate Bill No. 553 be concurred in. (81-1)

That Senate Bill No. 556 be concurred in. (76-2)

That Senate Bill No. 558 be concurred in. (75-0)

That Senate Bill No. 599 be amended in the third reading copy in Section 1, page 2, line 8 after the word "record" by inserting the following new words: "if all parties receive a copy of the transcript and are permitted to submit additional sworn statements," and

Further amend Section 1, page 3, line 2 after the word "review." by striking the rest of that line, all of lines 3 and 4 and the word "decision." in line 5, and

Further amend Section 1, page 3, line 7 by striking the word "act" and inserting in lieu thereof the word "section", and

Further amend Section 1 of the March 5 amendments by striking all the new words inserted by the House Taxation Committee, after the word "promulgated" and inserting in lieu thereof the following new language: "and must give such rule or regulation full effect unless the board finds any such rule or regulation arbitrary, capricious or otherwise unlawful." (40-38), and

As amended, be concurred in. (80-0)

That Senate Bill No. 602 be concurred in. (72-0)

That Senate Bill No. 625 be amended as follows:

Amend Section 10, page 13, lines 7 through 17 of the third reading bill by omitting Section 10 in its entirety and inserting in lieu thereof the following material:

"Section 10. Sections 62-401 and 62-403, R.C.M. 1947, are amended to read as follows:

'62-401. Legislative findings—purposes of act. Montana is uniquely endowed with scenic landscapes and areas rich in recreational value. This outdoor heritage enriches the lives of citizens, attracts new residents and businesses to the state, and is of major significance to the expanding tourist industry. It is the purpose of this act to give authority to the Montana state fish and game commission to [plan and] develop outdoor recreational resources in the state which authority shall permit receiving and expending funds including federal grants for this purpose.'

'62-403. Compliance with federal act authorized — powers of commission. The fish and game commission shall do those things necessary to comply with the provisions of the "Land and Water Conservation Fund Act of 1965." Among other things, the fish and game commission may

[(1) Prepare a comprehensive state-wide outdoor recreational plan which shall contain

(a) An evaluation of the demand for and supply of outdoor recreational resources and facilities in Montana, and

(b) A program for implementation of the plan]

[(2) (1) Accept and administer moneys paid by the secretary of the interior for approved projects.

[(3) (2) Contract with other state agencies, cities, counties and other political subdivisions of the state, private organizations, and agencies of the federal government.

[(4) (3) Acquire, other than by eminent domain, and develop outdoor recreational areas and facilities, and land and waters, and interests in land and waters for such areas and facilities.

[(5) (4) For the purpose of implementing the "Land and Water Conservation Fund Act of 1965," co-ordinate its activities with, and represent the interests of, all agencies of state, city, county, and other governmental units with outdoor recreational responsibilities." (72-1), and

As amended, be concurred in. (65-30)

(Material in brackets denotes cancelled type.)

That Senate Bill No. 678 be concurred in. (68-20)

That Senate Bill No. 679 be concurred in. (59-8)

That Senate Bill No. 681 be passed for the day.

That Senate Bill No. 684 be concurred in. (64-4)

That Senate Bill No. 694 be concurred in. (67-3)

That Senate Bill No. 715 be amended in the third reading bill, Section 4, page 4, Subsection (5), line 2 after the material "felony." by striking the material "Violation of subsection (2) of this section is a misdemeanor." (84-0), and

Swanberg in the Chair at this time.

Be further amended in Section 7, Subsection (5), page 8 of the third reading bill in line 11 by adding the following new language: "Names and identities of persons submitting to abortion shall remain confidential among medical and medical support personnel directly involved in the abortion, and among persons working in the facility where the abortion was performed whose duties include billing the patient or submitting claims to an insurance company, keeping facility records, or processing abortion data required by state law." (73-3), and

Be further amended in Section 5, page 5, lines 8 and 9 by deleting the following language: "Violation of subsection (4) of this section is a misdemeanor." (78-3), and

As amended, be concurred in. (80-10)

That Senate Bill No. 731 be not concurred in. (50-31)

Ainsworth excused at this time.

That Senate Joint Resolution No. 42 be concurred in. (71-0)

That Senate Joint Resolution No. 53 be concurred in. (70-0)

That Senate Joint Resolution No. 62 be concurred in. (61-1)

That Senate Joint Resolution No. 63 be concurred in. (61-6)

That Senate Joint Resolution No. 67 be concurred in. (66-2)

That Senate Amendments to House Bill No. 193 be concurred in. (73-0)

That Senate Amendments to House Bill No. 478 be concurred in. (77-0)

That Senate Amendments to House Bill No. 507 be not concurred in. (67-18)

That Senate Amendments to House Bill No. 557 be concurred in. (64-9)

That Senate Amendments to House Bill No. 582 be concurred in. (74-0)

That Senate Amendments to House Bill No. 600 be concurred in. (68-2)

That Senate Amendments to House Bill No. 681 be concurred in. (75-3)

That Senate Amendments to House Bill No. 694 be not concurred in. (71-3)

That Senate Amendments to House Bill No. 764 be concurred in. (74-2)

That Senate Amendments to House Bill No. 774 be not concurred in. (73-4)

That Senate Amendments to House Bill No. 830 be concurred in. (79-2)

That Senate Amendments to House Bill No. 879 be not concurred in. (71-12)

That Senate Amendments to House Bill No. 950 be concurred in. (78-2)

That Senate Amendments to House Bill No. 974 be concurred in. (74-8)

Haines present at this time.

That Senate Amendments to House Bill No. 1073 be not concurred in. (77-5)

That Senate Amendments to House Joint Resolution No. 59 be concurred in. (74-5)

That the Free Joint Conference Committee Report to House Bill No. 233 be adopted. (83-0)

That the Joint Conference Committee Report to House Bill No. 789 be adopted. (74-5)

That the Joint Conference Committee Report to House Bill No. 843 be adopted. (81-1)

That the Joint Conference Committee Report to Senate Bill No. 524 be adopted. (79-4)

That the Joint Conference Committee Report to Senate Bill No. 710 be adopted. (82-0)

That House Resolution No. 55 be adopted. (49-40)

That Senate Bill No. 367 be concurred in. (76-15)

Bennetts resumes the chair.

That the committee rise and report.

BENNETTS, Chairman

Report adopted.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 799 was concurred in by the following vote:

Ayes: Aageson, Baeth, Bardanouve, Baucus, Bell, Bennetts, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Fagg, Fleming, Flynn, Glennen, Greely, Gunderson, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kvaalen, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Seifert, Selstad, Shelden, Staigmillar, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 78.

Noes: Asbjornson, Barrett, Bradley, Burnett, Galt, Mann, Olson, Schye, Smith, Walborn. Total 10.

Excused: Ainsworth, Edland, Ellerd, Hageman, Hall, Holtz, Zimmer. Total 7.

Absent or not voting: Fasbender, Forsgren, Jacobsen, Kosena, Laas. Total 5.

Senate Bill No. 461 was concurred in by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cox, Driscoll, Fagg, Fasbender, Fleming, Flynn, Galt, Glennen, Greely, Gunderson, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Selstad, Shelden, Staigmillar, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 86.

Noes: Burnett, Seifert. Total 2.

Excused: Ainsworth, Edland, Ellerd, Hageman, Hall, Holtz, Zimmer. Total 7.

Absent or not voting: Cotton, East, Forsgren, Kosena, Smith. Total 5.

Senate Bill No. 473 was concurred in by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch,

McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Schepens, Seifert, Selstad, Shelden, Smith, Staigmillar, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 86.

Noes: Brand, Burnett, Hager, Rolfe, Schye, Walborn. Total 6.

Excused: Ainsworth, Edland, Ellerd, Hageman, Hall, Holtz, Zimmer. Total 7.

Absent or not voting: Kosena. Total 1.

Senate Bill No. 503 was concurred in by the following vote:

Ayes: Baeth, Bardanouve, Baucus, Bell, Campbell, Colberg, Driscoll, East, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Hager, Haines, Halvorson, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lombardi, Lucas, Lundgren, McKittrick, Mann, Manuel, Menahan, Murphy, Norman, Quilici, Regan, Roberts, Schepens, Schye, Seifert, Shelden, Staigmillar, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Watt, Yardley, Mr. Speaker. Total 61.

Noes: Aageson, Asbjornson, Barrett, Bennetts, Bradley, Brand, Brown, Burnett, Castles, Clemow, Cotton, Cox, Gunderson, H. Harper, Jacobsen, Johnston, Lien, Lockrem, Lund, Lynch, Marbut, Marks, Mehrens, Mercer, Olson, Prevost, Rolfe, Selstad, Smith, Stephens, Walborn, Warfield. Total 32.

Excused: Ainsworth, Edland, Ellerd, Hageman, Hall, Holtz, Zimmer. Total 7.

Absent or not voting: None.

Senate Bill No. 506 was concurred in by the following vote:

Ayes: Asbjornson, Baeth, Bardanouve, Baucus, Bell, Bennetts, Bradley, Brown, Campbell, Castles, Cotton, Driscoll, East, Fagg, Fasbender, Flynn, Forsgren, Galt, Glennen, Greely, Hager, Haines, Halvorson, H. Harper, Healy, Hodges, Hubing, Johnston, Jones, Kendall, Kimble, Kosena, Kvaalen, Laas, Lee, Lombardi, Lund, Lundgren, Mann, Manuel, Marks, Menahan, Murphy, Norman, Olson, Quilici, Roberts, Rolfe, Schepens, Schye, Seifert, Shelden, Staigmillar, Swanberg, Turman, Turner, Walborn, Watt, Mr. Speaker. Total 59.

Noes: Aageson, Barrett, Brand, Burnett, Clemow, Colberg, Cox, Gunderson, R. Harper, Holmes, Huennekens, Jacobsen, Kessner, Kolstad, Lien, Lockrem, Lucas, Lynch, McKittrick, Marbut, Mehrens, Mercer, Regan, Selstad, Smith, Stephens, Stoltz, Tierney, Towe, Ulmer, Warfield, Yardley, Mr. Speaker. Total 32.

Excused: Ainsworth, Edland, Ellerd, Hageman, Hall, Holtz, Zimmer. Total 7.

Absent or not voting: Fleming, Prevost. Total 2.

Senate Bill 623 was concurred in by the following vote:

Ayes: Aageson, Asbjornson, Barrett, Baucus, Bell, Bennetts, Bradley, Brown, Campbell, Castles, Cotton, Cox, East, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hager, Haines, Halvorson, R. Harper, Healy, Hodges, Holmes, Hubing, Jacobsen, Johnston, Jones, Kendall, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lockrem, Lombardi, Lucas, Lund, Lundgren, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Norman, Olson, Quilici, Regan, Roberts, Schepens, Schye, Seifert, Selstad, Shelden, Swanberg, Towe, Turman, Turner, Ulmer, Warfield, Watt, Mr. Speaker. Total 71.

Noes: Baeth, Bardanouve, Brand, Burnett, Clemow, Colberg, Driscoll, H. Harper, Huennekens, Kessner, Lien, Lynch, Murphy, Rolfe, Smith, Staigmillar, Stephens, Stoltz, Tierney, Walborn, Yardley. Total 21.

Excused: Ainsworth, Edland, Ellerd, Hageman, Hall, Holtz, Zimmer. Total 7.

Absent or not voting: Prevost. Total 1.

Senate Bill No. 649 was concurred in by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts,

Bradley, Brand, Brown, Campbell, Colberg, Cotton, Cox, Driscoll, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Schepens, Schye, Seifert, Shelden, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 85.

Noes: Burnett, Clemow, East, Hubing, Rolfe, Selstad, Smith. Total 7.

Excused: Ainsworth, Edland, Ellerd, Hageman, Hall, Holtz, Zimmer. Total 7.

Absent or not voting: Castles. Total 1.

Senate Bill No. 651 was concurred in by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Gunderson, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Mr. Speaker. Total 91.

Noes: None.

Excused: Ainsworth, Edland, Ellerd, Hageman, Hall, Holtz, Zimmer. Total 7.

Absent or not voting: Greely, Yardley. Total 2.

Senate Bill No. 670 was concurred in by the following vote:

Ayes: Aageson, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, East, Fagg, Fasbender, Fleming, Forsgren, Galt, Glennen, Hager, Haines, Halvorson, R. Harper, Healy, Hodges, Holmes, Hubing, Jacobsen, Johnston, Jones, Kessner, Kimble, Kolstad, Kosena, Laas, Lee, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Schepens, Schye, Seifert, Staigmiller, Stoltz, Swanberg, Tierney, Turman, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 72.

Noes: Baeth, Driscoll, Flynn, Gunderson, H. Harper, Huennekens, Kendall, Kvaalen, Lien, Marbut, Marks, Rolfe, Selstad, Shelden, Stephens, Towe, Turner, Ulmer. Total 18.

Excused: Ainsworth, Edland, Ellerd, Hageman, Hall, Holtz, Zimmer. Total 7.

Absent or not voting: Asbjornson, Greely, Smith. Total 3.

The Free Joint Conference Committee Report on House Bill No. 233 was adopted by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Driscoll, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 88.

Noes: None.

Excused: Ainsworth, Edland, Ellerd, Hageman, Hall, Holtz, Zimmer. Total 7.

Absent or not voting: Cox, East, Kosena, Lundgren, Smith. Total 5.

The Joint Conference Committee Report on House Bill No. 789 was adopted by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hager, Haines, Halvorson, H. Harper, Healy, Hodges, Holmes, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 88.

Noes: R. Harper, McKittrick. Total 2.

Excused: Ainsworth, Edland, Ellerd, Hageman, Hall, Holtz, Zimmer. Total 7.

Absent or not voting: Hubing, Kosena, Olson. Total 3.

The Joint Conference Committee Report on House Bill No. 843 was adopted by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Fagg, Fasbender, Fleming, Flynn, Forsgren, Glennen, Greely, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Huennekens, Jacobsen, Jones, Kendall, Kessner, Kimble, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, McKittrick, Mann, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 84.

Noes: Galt, Gunderson, Kolstad, Manuel, Rolfe. Total 5.

Excused: Ainsworth, Edland, Ellerd, Hageman, Hall, Holtz, Zimmer. Total 7.

Absent or not voting: Hubing, Johnston, Kosena, Lynch. Total 4.

The Joint Conference Committee Report on Senate Bill No. 524 was adopted by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Driscoll, East, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Huennekens, Jacobsen, Jones, Kendall, Kessner, Kimble, Kolstad, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, McKittrick, Mann, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 87.

Noes: Cox, Johnston, Lynch, Manuel. Total 4.

Excused: Ainsworth, Edland, Ellerd, Hageman, Hall, Holtz, Zimmer. Total 7.

Absent or not voting: Hubing, Kosena. Total 2.

The Joint Conference Committee Report on Senate Bill No. 710 was adopted by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox,

Driscoll, East, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 91.

Noes: None.

Excused: Ainsworth, Edland, Ellerd, Hageman, Hall, Holtz, Zimmer. Total 7.

Absent or not voting: Hubing, Kosena. Total 2.

REPORTS OF STANDING COMMITTEES

Objection raised by Selstad on adverse committee report on Senate Bill No. 593. Referred to Second Reading.

Objection raised by Brand on adverse committee report on Senate Bill No. 692. Referred to Second Reading.

March 6, 1974

I have examined House Bill No. 823 introduced by me and find the same to be correct.

BRAND

March 6, 1974

I have examined House Bill No. 912 introduced by me and find the same to be correct.

BRAND

March 6, 1974

I have examined House Bill No. 796 introduced by me and find the same to be correct.

SCHYE

March 6, 1974

I have examined House Bill No. 793 introduced by me and find the same to be correct.

HEALY

March 6, 1974

I have examined House Bill No. 840 introduced by me and find the same to be correct.

LUNDGREN

March 6, 1974

I have examined House Joint Resolution No. 82 introduced by me and find the same to be correct.

YARDLEY

March 6, 1974

I have examined House Bill No. 958 introduced by me and find the same to be correct.

BRADLEY

March 6, 1974

I have examined House Joint Resolution No. 39 introduced by me and find the same to be correct.

BENNETTS

March 6, 1974

I have examined House Bill No. 839 introduced by me and find the same to be correct.

COTTON

March 6, 1974

I have examined House Bill No. 801 introduced by me and find the same to be correct.

WATT

March 6, 1974

I have examined House Bill No. 885 introduced by me and find the same to be correct.

YARDLEY

March 6, 1974

I have examined House Bill No. 737 introduced by me and find the same to be correct.

BARDANOUE

March 6, 1974

I have examined House Bill No. 736 introduced by me and find the same to be correct.

BARDANOUE

March 6, 1974

I have examined House Joint Resolution No. 75 introduced by me and find the same to be correct.

STEPHENS

March 6, 1974

I have examined House Bill No. 938 introduced by me and find the same to be correct.

MURPHY

March 6, 1974

I have examined House Bill No. 940 introduced by me and find the same to be correct.

MURPHY

March 6, 1974

I have examined House Bill No. 914 introduced by me and find the same to be correct.

LOMBARDI

March 6, 1974

I have examined House Bill No. 899 introduced by me and find the same to be correct.

LEE

March 6, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills considered correctly engrossed: House Bill No. 953, House Bill No. 1111.

QUILICI, Chairman

March 6, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following resolution correctly printed: House Resolution No. 67.

QUILICI, Chairman

March 6, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills and resolutions correctly enrolled: House Bill No. 736, House Bill No. 737, House Bill No. 793, House Bill No. 796, House Bill No. 801, House Bill No. 823, House Bill No. 839, House Bill No. 840, House Bill No. 885, House Bill No. 899, House Bill No. 912, House Bill No. 914, House Bill No. 938, House Bill No. 940, House Bill No. 958, House Joint Resolution No. 39, House Joint Resolution No. 75, House Joint Resolution No. 82.

QUILICI, Chairman

March 6, 1974

The following bills and resolutions will be signed on adjournment on March 6, 1974, in the office of the Speaker of the House of Representatives: House Bill No. 736, House Bill No. 737, House Bill No. 793, House Bill No. 796, House Bill No. 801, House Bill No. 823, House Bill No. 839, House Bill No. 840, House Bill No. 885, House Bill No. 899, House Bill No. 912, House Bill No. 914, House Bill No. 938, House Bill No. 940, House Bill No. 958, House Joint Resolution No. 39, House Joint Resolution No. 75, House Joint Resolution No. 82, Senate Bill No. 495, Senate Bill No. 521, Senate Bill No. 522, Senate Bill No. 546, Senate Bill No. 581, Senate Bill No. 591, Senate Bill No. 615, Senate Bill No. 639, Senate Bill No. 640, Senate Bill No. 654, Senate Bill No. 691, Senate Bill No. 728, Senate Joint Resolution No. 66.

EDWIN A. SMITH, Chief Clerk
House of Representatives

March 6, 1974

Mr. Speaker: We, your Committee on Business and Industry, having had under consideration House Resolution No. 70, respectfully report as follows: That House Resolution No. 70 be adopted.

MEHRENS, Chairman

Report adopted.

March 6, 1974

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 471, respectfully report as follows: That Senate Bill No. 471 be concurred in.

YARDLEY, Vice-Chairman

Report adopted.

March 6, 1974

Mr. Speaker: We, your Committee on State Administration, having had under consideration Senate Bill No. 539, respectfully report as follows: That Senate Third Reading Bill No. 539 be amended on page 1, Section 1, line 21 after the word "members" by reinserting the stricken material as follows: "who shall be qualified electors of the district from which they are elected", and

Be further amended on page 2, Section 1, line 7 after the material "act," by omitting the material "one (1)" and inserting in lieu thereof the material "three (3)", and

Be further amended on page 2, Section 1, line 8 after the material "years," by omitting the material "one (1)" and inserting in lieu thereof the material "and two (2)", and

Be further amended on page 2, Section 1, line 9 after the material "(4) years" by omitting the following material "and two (2) for a term of six (6) years", and

Be further amended on page 2, Section 1, line 11 after the word "than" by omitting "six (6)" and inserting in lieu thereof the material "four (4)", and

Be further amended on page 2, Section 1, line 12 after the word "of" by omitting the material "six (6)" and inserting in lieu thereof the material "four (4)", and

As amended, be concurred in.

BRAND, Chairman

Report adopted.

March 6, 1974

Mr. Speaker: We, your Committee on State Administration, having had under consideration Senate Bill No. 587, respectfully report as follows: That Senate Third Reading Bill No. 587 be amended in the title on page 1, line 9 after the word "to" by omitting the word "six-tenths" and inserting in lieu thereof the word "six-hundredths", and

Be further amended in the title on page 1, line 9 after the word "percent" by omitting the material "(.6 of 1%)" and inserting in lieu thereof the material "(.06 of 1%)", and

Be further amended on page 2, Section 1, line 20 after the word "of" by omitting the word "six-tenths" and inserting in lieu thereof the word "six-hundredths", and

Be further amended on page 2, Section 1, line 21 after the word "percent" by omitting the material "(.6 of 1%)" and inserting in lieu thereof the material "(.06 of 1%)", and

As amended, be concurred in.

BRAND, Chairman

Report adopted.

March 6, 1974

Mr. Speaker: We, your Committee on State Administration, having had under consideration Senate Bill No. 626, respectfully report as follows: That Senate Third Reading Bill No. 626 be amended on page 2, Section 2, line 18 by omitting the material "six percent (6%)" and inserting in lieu thereof the material "six and one-half percent (6-½%)", and

Be further amended on page 4, Section 3, starting with the word "annually" on line 2, through and including the word "Montana" on line 10 by omitting the material contained therein in its entirety, and inserting in lieu thereof the following material: "pay into the account of the Montana highway patrolmen's retirement system an amount equal to seven and one-half percent (7-½%) of the earnable compensation of each member employed during the whole or part of the preceding payroll period", and

As amended, be concurred in.

BRAND, Chairman

Report adopted.

March 6, 1974

Mr. Speaker: We, your Committee on State Administration, having had under

consideration Senate Bill No. 641, respectfully report as follows: That Senate Third Reading Bill No. 641 be amended in the title on page 1, line 8 after the word "be" by omitting the word "an" and inserting in lieu thereof the words "a trained and", and

Be further amended on page 1, Section 1, line 22 after the word "a" by inserting the following words "master's degree and a", and

As amended, be concurred in.

BRAND, Chairman

Report adopted.

March 6, 1974

Mr. Speaker: We, your Committee on Labor and Employment Relations, having had under consideration Senate Bill No. 642, respectfully report as follows: That Senate Bill No. 642 be amended in the third reading of the bill in the title on page 1, line 9 after the material "act" by inserting the new material "; and providing an effective date", and

Be further amended on page 2, after line 2 by adding a new Section 2 to read as follows: "Section 2. This act is effective on its passage and approval.", and

As amended, be concurred in.

McKITTRICK, Chairman

Report adopted.

March 6, 1974

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 655, respectfully report as follows: That Senate Bill No. 655 be amended as follows:

Note: All amendments pertain to the third reading copy of Senate Bill No. 655.

Be amended on page 1, Section 1, line 15 after the material "act to" by striking the material "implement article II, section 18 of the Montana constitution and to", and

Be further amended on page 1, Section 1, line 19 after the word "intentional" by striking the word "tortious" and inserting in lieu thereof the new material "tort or felonious", and

Be further amended on page 2, Section 2, Subsection (2), line 24 after the word "intentional" by striking the word "tortious" and inserting in lieu thereof the new material "tort or felonious", and

Be further amended on page 3, Section 2, Subsection (3), line 7 after the word "intention" by inserting the new material "tort or felonious", and

As amended, be concurred in.

YARDLEY, Vice-Chairman

Report adopted.

March 6, 1974

Mr. Speaker: We, your Committee on State Administration, having had under consideration Senate Bill No. 674, respectfully report as follows: That Senate Third Reading Bill No. 674 be amended on page 1, Section 1, line 23 after the word "rule" by omitting the following material "under this subsection" and inserting in lieu thereof the following material "relating to a description of its organization", and

As amended, be concurred in.

BRAND, Chairman

Report adopted.

March 6, 1974

Mr. Speaker: We, your Committee on State Administration, having had under consideration Senate Bill No. 685, respectfully report as follows: That Senate Third Reading Bill No. 685 be amended in Section 2, page 1 starting with the word "For" on line 25 through and including the word and punctuation "years." on page 2, line 3 by omitting the material contained therein in its entirety, and

As amended, be concurred in.

BRAND, Chairman

Report adopted.

March 6, 1974

Mr. Speaker: We, your Committee on State Administration, having had under consideration Senate Bill No. 693, respectfully report as follows: That Senate Third Reading Bill No. 693 be amended on page 3, Section 2, line 13 after the word "submitted" by omitting the word "to" and inserting in lieu thereof the word "by", and

As amended, be concurred in.

BRAND, Chairman

Report adopted.

March 5, 1974

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 697, respectfully report as follows: That Senate Bill No. 697 be amended as follows:

Note: All amendments pertain to third reading copy of Senate Bill No. 697.

Be amended on page 3, Section 1, Subsection (10), line 8 after the material "employees." by inserting a new Subsection (11) to read as follows:

"(11) 'Mental handicap' means any mental disability resulting in subaverage intellectual functioning and impaired social competence.", and renumber subsequent subsections to conform numerically, and

Be further amended on page 3, Section 1, present Subsection (12), line 14 after the material "organizations." by inserting a new Subsection (14) to read as follows:

"(14) 'Physical handicap' means any physical disability, infirmity, malformation or disfigurement which is caused by bodily injury, birth defect or illness, including epilepsy, and shall include without limitation any degree of paralysis, amputation, lack of physical coordination, blindness or visual impediment, deafness or hearing impediment, muteness or speech impediment, or physical reliance on a guide dog for the blind, wheelchair, or other remedial appliance or device.", and renumber subsequent subsections to conform numerically, and

Be further amended on page 3, present Subsection (13), line 24 after the material "company," by inserting the new material "hospital," and

Be further amended on page 4, Section 2, Subsection (a), line 10 after the material "color," by striking the material "political beliefs," and

Be further amended on page 4, Section 2, Subsection (a), line 11 after the word "physical" by inserting the new material "or mental", and

Be further amended on page 4, Section 2, Subsection (a), line 13 after the material "physical" by inserting the new material "or mental", and

Be further amended on page 4, Section 2, Subsection (b), line 15 after the material "age," by inserting the new material "physical or mental handicap," and

Be further amended on page 4, Section 2, Subsection (c), line 25 after the material "age," by inserting the new material "physical or mental handicap," and

Be further amended on page 4, Section 2, Subsection (c), line 25 after the material "color," by striking the material "political beliefs," and

Be further amended on page 6, Section 2, Subsection (a), line 4 after the material "age," by inserting the new material "physical or mental handicap," and

Be further amended on page 6, Section 2, Subsection (b), line 11 after the material "age," by inserting the new material "physical or mental handicap," and

Be further amended on page 6, Section 2, Subsection (3)(a), line 21 after the material "age," by inserting the new material "physical or mental handicap," and

Be further amended on page 6, Section 2, Subsection (3)(b), line 25 after the material "age," by inserting the new material "physical or mental handicap," and

Be further amended on page 7, Section 2, Subsection (c), line 6 after the material "age," by inserting the new material "physical or mental handicap," and

Be further amended on page 7, Section 2, Subsection (a), line 20 after the material "age," by inserting the new material "physical or mental handicap," and

Be further amended on page 8, Section 2, Subsection (a), line 7 after the material "age," by striking the material "political beliefs," and inserting in lieu thereof the new material "physical or mental handicap," and

Be further amended on page 8, Section 2, Subsection (b), line 14 after the material "age," by striking the material "political beliefs," and inserting in lieu thereof the new material "physical or mental handicap," and

Be further amended on page 8, Section 2, Subsection (b), line 17 after the word "origin" by inserting the new material "or possessing a physical or mental handicap," and

Be further amended on page 8, Section 2, Subsection (b), line 17 after the material "solicited." by inserting a new Subsection (c) to read as follows:

"(c) to refuse employment to a person, or to bar him from employment, or to discriminate against him in compensation or in a term, condition, or privilege of employment because of his political beliefs. However, this prohibition does not apply to policy-making positions on the immediate staff of an elected officer of the executive branch provided for in article VI, section 1, of the Montana constitution, nor to the appointment by the governor of a director of a principal department provided for in article VI, section 7, of the Montana constitution." and

Be further amended on page 8, Section 2, Subsection (a), line 24 after the material "age," by inserting the new material "physical handicap," and

Be further amended on page 8, Section 2, Subsection (a), line 24 after the material "origin" by inserting the new material "or because of mental handicap unless based on reasonable grounds under rules adopted by the commission", and

Be further amended on page 9, Section 2, Subsection (b), line 3 after the material "religion" by inserting the new material "physical or mental handicap," and

Be further amended on page 9, Section 2, Subsection (c), line 9 after the material "age," by inserting the new material "physical or mental handicap," and

Be further amended on page 9, Section 2, Subsection (d), line 14 after the material "religion" by inserting the new material ", physical or mental handicap", and

Be further amended on page 9, Section 3, line 15 after the material "age," by inserting the new material "physical or mental handicap," and

Be further amended on page 9, Section 3, Subsection (1), line 16 after the material "age," by inserting the new material "physical or mental handicap," and

As amended, be concurred in.

YARDLEY, Vice-Chairman

Report adopted.

March 6, 1974

Mr. Speaker: We, your Committee on Labor and Employment Relations, having had under consideration Senate Bill No. 702, respectfully report as follows: That Senate Bill No. 702 be concurred in.

McKITTRICK, Chairman

Report adopted.

March 6, 1974

Mr. Speaker: We, your Committee on Labor and Employment Relations, having had under consideration Senate Bill No. 711, respectfully report as follows: That Senate Bill No. 711 be not concurred in.

McKITTRICK, Chairman

March 6, 1974

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 717, respectfully report as follows: That Senate Bill No. 717 be amended on page 1, Section 1, Subsection (1), line 15 after the word "individual" by striking the word "persons's" and inserting in lieu thereof the new material "'s" to the word "individual", and

Be further amended on page 1, Section 2, Subsection (1), line 19 through page 2, line 5 by striking all of Subsection (1) in its entirety and renumbering subsequent subsections to conform numerically, and

Be further amended on page 2, Section 2, present Subsection (2), line 9 after the word "facility" by inserting the new material "as stated by its governing body or board", and

Be further amended on page 3, Section 2, present Subsection (4), line 9 after the material "(4)" by striking the material "Any person who knowingly interferes or attempts" and inserting in lieu thereof the new material "it shall be unlawful to interfere or attempt", and

Be further amended on page 3, Section 2, present Subsection (4), lines 11 through 15 after the word "means" by striking the material ", shall be guilty of a misdemeanor and on conviction is subject to a fine not to exceed five hundred dollars (\$500), or imprisonment in the county jail for a term not to exceed six (6) months, or both", and

Be further amended on page 3, Section 2, present Subsection (5), line 23 after the material "benefits." by adding a new Section 3 to read as follows:

"Section 3. Severability. It is the intent of the legislature that if a part of this act is invalid, all valid parts that are severable from the invalid part remain in effect. If a part of this act is invalid in one or more of its applications, the part remains in effect in all the valid applications that are severable from the invalid applications.", and renumber subsequent sections to conform numerically, and

As amended, be concurred in.

YARDLEY, Vice-Chairman

Report adopted.

March 6, 1974

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration Senate Joint Resolution No. 45, respectfully report as follows: That Senate Joint Resolution No. 45 be not concurred in.

GREELY, Chairman

March 6, 1974

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Joint Resolution No. 48, respectfully report as follows: That Senate Joint Resolution No. 48 be not concurred in.

YARDLEY, Vice-Chairman

March 6, 1974

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration Senate Joint Resolution No. 64, respectfully report as follows: That Senate Joint Resolution No. 64 be amended on page 1, line 15, third reading, by omitting all material in the remainder of the resolution.

Further amend on page 2, following line 16 by adding the following new material:

"That there be submitted to the qualified electors at the next general election a proposal for an amendment to the constitution of the state of Montana.

Be it Further Resolved, that the proposal shall read as follows: 'It is proposed by the legislature of the state of Montana that Article II, Section 18 of the Montana constitution be amended to read as follows: "Section 18. State subject to suit. The state, counties, cities, towns, and all other local governmental entities shall have no immunity from suit for injury to a person or property, except as may be provided by law.'"

Be it Further Resolved, that this full text of the above proposal be printed on the ballot along with the following words:

☐ For the above amendment.

☐ Against the above amendment."

Be it Further Resolved, that a copy of this resolution be transmitted to the Secretary of State on its final passage.", and

As amended, be concurred in.

GREELY, Chairman

Report adopted.

March 6, 1974

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Joint Resolution No. 68, respectfully report as follows: That Senate Joint Resolution No. 68 be amended on page 1, line 5, title, after the word "Montana" by striking the word "directing" and inserting in lieu thereof the new word "requesting", and

Be further amended on page 2, line 10 after the word "Priorities" by striking the material "are directed" and inserting in lieu thereof the new material "is requested", and

As amended, be concurred in.

YARDLEY, Vice-Chairman

Report adopted.

MESSAGES FROM THE OTHER HOUSE

March 6, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day read three several times, and passed, titles and history agreed to, and the said bills are transmitted to the House for concurrence:

Senate Bill No. 87 introduced by Siderius, Carl and James

Senate Bill No. 727 introduced by Klindt, Devine, et al

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

March 6, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Joint Conference Committee report on Senate Amendments to House Bill No. 843 was this day on third reading, roll call vote, concurred in and the committee has been dismissed.

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

March 6, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House amendments to Senate Bills and Joint Resolution were this day concurred in on third reading by the Senate:

House Amendments to Senate Bill No. 485

House Amendments to Senate Bill No. 588

House Amendments to Senate Bill No. 671

House Amendments to Senate Joint Resolution No. 44

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

March 6, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Joint Conference Committee reports were this day adopted on third reading, roll call vote, and the committees have been dismissed.

Joint Conference Committee report on House Amendments to Senate Bill No. 508

Joint Conference Committee report on House Amendments to Senate Bill No. 710

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

March 6, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills and House Joint Resolution were this day read third time, and concurred in, titles and history agreed to, and the said bills and resolution are herewith returned to the House:

House Bill No. 607 introduced by Quilici, Lee, et al

House Bill No. 794 introduced by Kendall and Turman

House Bill No. 806 introduced by Cox, Barrett, et al

House Bill No. 848 introduced by the House Judiciary Committee

House Bill No. 907 introduced by Lombardi, Lee, et al

House Bill No. 1026 introduced by Lucas and Schepens

House Joint Resolution No. 80 introduced by McKittrick, Fasbender, et al

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

March 6, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills and House Joint Resolution were this day read third time, and concurred in, as amended, titles and history agreed to, and the said bills and resolution are herewith returned to the House for concurrence in Senate amendments:

House Bill No. 595 introduced by Fasbender and Marbut

House Bill No. 624 introduced by Shelden

House Bill No. 699 introduced by Forsgren, Cox, et al

House Bill No. 716 introduced by Brand and McKittrick

House Bill No. 755 introduced by Murphy, Baucus, et al

House Bill No. 777 introduced by Forsgren, Greely and H. Harper

House Bill No. 814 introduced by Kosena

House Bill No. 894 introduced by Laas, Bardanouve, et al

House Bill No. 1034 introduced by Barrett, Asbjornson, et al

House Bill No. 1081 introduced by Driscoll and Brand

House Joint Resolution No. 54 introduced by Colberg, Bardanouve, et al

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

MOTIONS

Fasbender moved that the Speaker be authorized to appoint a Free Conference Committee to meet with a like committee from the Senate on Senate Amendments to House Bill No. 507.

Motion carried.

Fasbender moved that the Speaker be authorized to appoint Conference Committees to meet with like committees from the Senate on House Bills Nos. 694, 774, 879 and 1073.

Motion carried.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following bills were introduced, read first time and referred to committees:

House Bill No. 1125, introduced by Schye, Johnston: A bill for an act entitled: "An act appropriating sixty-five thousand dollars (\$65,000) from the general fund to the Department of Intergovernmental Relations for the biennium ending June 30, 1975 to provide staffing for the implementation of the Montana Subdivision and Platting Act." Referred to Committee on Finance and Claims.

House Bill No. 1126, introduced by Bardanouve, Brand: A bill for an act entitled: "An act appropriating money to the Public Employees' Retirement System for

Montana Highway Patrolmen's Retirement System fund." Referred to Committee on Finance and Claims.

Fasbender moved that the House accept Senate Bill No. 87 for introduction.

As a substitute motion, Kvaalen moved that Senate Bill No. 87 be referred to the Committee on Rules. Motion carried.

The following bills were introduced, read first time and referred to committees:

Senate Bill No. 87, introduced by Siderius, Carl, James: A bill for an act entitled: "An act for the codification and general revision of the laws relating to the Department of Labor and Industry, and providing that this act is effective upon its passage and approval." Referred to Committee on Rules.

Senate Bill No. 727, introduced by Klindt, Devine, Rosell, James: A bill for an act entitled: "An act appropriating twenty thousand dollars (\$20,000) from the general fund to the Office of the Governor for the purpose of funding a program for recreation, physical fitness and lifetime sports for the biennium ending June 30, 1975." Referred to Committee on Finance and Claims.

UNFINISHED BUSINESS

The Speaker appointed the following Free Conference Committee to meet with a like committee from the Senate on House Bill No. 507: Lien, Chairman; Laas and Ulmer.

The Speaker appointed the following Conference Committee to meet with a like committee from the Senate on House Bill No. 694: McKittrick, Chairman; Schepens and Marbut.

The Speaker appointed the following Conference Committee to meet with a like committee from the Senate on House Bill No. 774: Kosena, Chairman; Jacobsen and Turman.

Fasbender moved that the House adjourn until 1:00 p.m. March 7, 1974.

Motion carried.

House adjourned.

HAROLD E. GERKE, Speaker

EDWIN A. SMITH, Chief Clerk

FIFTY-SECOND LEGISLATIVE DAY

Helena, Montana
March 7, 1974

House Chambers
Capitol Building

House convened at 1:00 p.m., Mr. Speaker in the Chair.

Invocation by Don Scanlin, Sergeant-at-Arms.

Pledge of Allegiance to the Flag.

Roll call. All members present except Aageson, Ainsworth, Baucus, Greely, Hall, Holtz, Lund and Zimmer, all excused.

Quorum present.

Mr. Speaker: We, your Committee on Bills and Journal, having examined the daily journal for the Fifty-first Legislative Day, find the same to be correct.

QUILICI, Chairman

COMMUNICATIONS AND PETITIONS

The Speaker appointed the following Conference Committee to meet with a like committee from the Senate on Senate Amendments to House Bill No. 879: Kendall, Chairman; Lynch and Marks.

The Speaker appointed the following Conference Committee to meet with a like committee from the Senate on Senate Amendments to House Bill No. 1073: Greely, Chairman; Yardley and Turman.

REPORTS OF STANDING COMMITTEES

Objection raised by Schye on adverse committee report on Senate Joint Resolution No. 45. Referred to Second Reading.

March 7, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills and resolutions correctly printed: House Bill No. 962, House Bill No. 1028, House Resolution No. 70

QUILICI, Chairman

March 7, 1974

The following bills and resolutions were signed in the office of the Speaker of the House of Representatives on March 6, 1974: House Bill No. 736, House Bill No. 737, House Bill No. 793, House Bill No. 796, House Bill No. 801, House Bill No. 823, House Bill No. 839, House Bill No. 840, House Bill No. 885, House Bill No. 899, House Bill No. 912, House Bill No. 914, House Bill No. 938, House Bill No. 940, House Bill No. 958, House Joint Resolution No. 39, House Joint Resolution No. 75, House Joint Resolution No. 82, Senate Bill No. 495, Senate Bill No. 521, Senate Bill No. 522, Senate Bill No. 546, Senate Bill No. 581, Senate Bill No. 591, Senate Bill No. 615, Senate Bill No. 639, Senate Bill No. 640, Senate Bill No. 654, Senate Bill No. 691, Senate Bill No. 728, Senate Joint Resolution No. 66.

EDWIN A. SMITH, Chief Clerk
House of Representatives

March 7, 1974

Mr. Speaker: We, your Committee on Fish and Game, having had under consideration Senate Bill No. 418, respectfully report as follows: That Third Reading Senate Bill No. 418 be amended in the title on page 1, line 6 after the year "1977:" by inserting the following material: "providing for Fish and Game Commission management; providing for legislative study:", and

Be further amended in Section 1, page 1, line 13 after the word "date" by inserting the following material: "only in so far as the above provisions relate to elk hunting in that portion of the Sun River Preserve north of the West Fork of the Sun River. The fish and game commission may allow, by permit, elk hunting only in that area in accordance with sound game management principles provided not more than one hundred fifty (150) permits may be issued in any one year and shall be restricted to branch antlered bulls only during the first year. The game preserve status under sections 26-1101 and 26-1102 remains in effect except during elk hunting season as provided in this act", and

Be further amended in Section 2, page 1, line 15 after the "Section 2" by omitting the following material: "This act is effective on its passage and approval.", and inserting in lieu thereof the following material: "The committees on fish and game or such other standing committees of the senate and the house of representatives as may have jurisdiction over the subject matter of this act shall appoint interim study subcommittees to investigate the operation of such hunting as authorized by this act and to report to each session of the legislature, when it convenes, the results of their investigations.

Section 3. The legislature may, by joint resolution, terminate this experiment at any time prior to July 1, 1977.

Section 4. This act is effective on its passage and approval.", and

As amended, be not concurred in.

STAIGMILLER, Chairman

March 6, 1974

Mr. Speaker: We, your Committee on Labor and Employment Relations, having had under consideration Senate Bill No. 48, respectfully report as follows: That Senate Bill No. 48 be amended in the third reading bill on page 3, Section 3, Subsection (2), lines 21 and 22 after the words "division of" by omitting the material "workmen's compensation" and inserting in lieu thereof the material "occupational safety and health", and

Be further amended on page 6, Section 4, line 7 after the words "division of" by omitting the words "workmen's compensation" and inserting in lieu thereof the material "occupational safety and health", and

Be further amended on page 6, Section 5, line 23 after the material "health," by inserting the new material: "This act shall not apply to employees described in Public Law, 91-458 (U.S.C., Oct. 16, 1970) entitled "The National Rail Safety Act.", and

Be further amended on page 11, Section 12, line 25 after the material "act." by inserting the new material: "Any person doing inspection compliance work for the division shall not participate in consultation safety and health programs for the division.", and

Be further amended on page 49, Section 64, Subsection (6), line 5 after the word "exceeding" by omitting the material "ten thousand dollars (\$10,000)" and inserting in lieu thereof the material "fifty thousand dollars (\$50,000)", and

Be further amended on page 54, Section 73, line 9 after the material "effective on" by omitting the material "January 1, 1975" and inserting in lieu thereof the material "July 1, 1975", and

Be further amended on page 54, after Section 73 on line 10 by adding a new Section 74 to read as follows: "Section 74. There is created a division of occupational safety and health within the department of labor and industry. The division is directly responsible to the commissioner of labor and industry.", and

As amended, be held in committee.

McKITTRICK, Chairman

As a substitute motion, Lockrem moved that Senate Bill No. 48 be printed and placed on Second Reading.

Motion failed.

March 7, 1974

Mr. Speaker: We, your Committee on Natural Resources, having had under consideration House Resolution No. 71, respectfully report as follows: That House Resolution No. 71 be adopted.

SHELDEN, Chairman

Report adopted.

March 7, 1974

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 630, respectfully report as follows: That Senate Bill No. 630 be concurred in.

YARDLEY, Vice-Chairman

Report adopted.

March 7, 1974

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Bill No. 682, respectfully report as follows: That Senate Bill No. 682 be concurred in.

YARDLEY, Vice-Chairman

Report adopted.

MESSAGES FROM THE OTHER HOUSE

March 6, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills and House Joint Resolution were this day read third time, and concurred in as amended, titles and history agreed to, and the said bills and resolution are herewith returned to the House for concurrence in Senate amendments:

House Bill No. 466 introduced by Marks, et al

House Bill No. 556 introduced by Fagg, et al

House Bill No. 859 introduced by Menahan and Kosena

House Joint Resolution No. 62 introduced by Baucus, et al

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

March 6, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read third time, and concurred in, titles and history agreed to and the said bills are herewith returned to the House:

House Bill No. 576 introduced by Bardanouve and Fasbender

House Bill No. 741 introduced by Galt, Schye, et al

House Bill No. 797 introduced by Hall and McKittrick

House Bill No. 920 introduced by Greely, McKittrick and Roberts

House Bill No. 991 introduced by Healy, Lombardi, et al

House Bill No. 1069 introduced by Edland, Baucus, et al

House Bill No. 1082 introduced by Hager, Towe, et al

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

March 6, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read third time, and concurred in as amended, titles and history agreed to, and the said bills are herewith returned to the House for concurrence in Senate amendments:

House Bill No. 670 introduced by Gerke

House Bill No. 590 introduced by Fasbender and Lund

House Bill No. 1040 introduced by McKittrick, Menahan and Turman

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

March 6, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was this day on Committee of the Whole, recommended that further action be indefinitely postponed, report adopted and the said bill is herewith returned to the House:

House Bill No. 908 introduced by Lucas, Quilici, et al

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

March 6, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was on March 5, 1974, on Committee of the Whole, recommended that further action be indefinitely postponed, report adopted, and the said bill is herewith returned to the House:

House Bill No. 147 introduced by Norman and Ulmer

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

March 6, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Conference Committee on Senate amendments to House Bill No. 709 was this day on motion, duly carried, dissolved and that a new Conference Committee was not appointed.

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

March 6, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Joint Conference Committee report was this day adopted by the Senate on third reading, roll call vote, and the committee was dissolved.

Joint Conference Committee on House amendments to Senate Bill No. 524

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

March 6, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the House amendments to Senate Bill No. 624 and the House amendments to Senate Joint Resolution No. 55 were this day concurred in by the Senate.

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

March 6, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate on motion, duly carried, requests the return of House Bill No. 657 for further consideration.

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

March 6, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day failed to concur in House amendments to Senate Bill No. 568, and the President was authorized to appoint a Conference Committee, and the Senate respectfully requests the House to appoint a like committee to confer on House amendments to Senate Bill No. 568.

The President appointed the following members:

Senator James, Chairman
Senator Darrow
Senator Flynn

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

March 6, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day failed to concur in House amendments to Senate Bill No. 579, and the President was authorized to appoint a Conference Committee, and the Senate respectfully requests the House to appoint a like committee to confer on House Amendments to Senate Bill No. 579.

The President appointed the following members:

Senator Zody, Chairman
Senator Hazelbaker
Senator Keenan

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

March 6, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day failed to concur in House amendments to Senate Bill No. 537, and the President was authorized to appoint a Conference Committee, and the Senate respectfully requests the House to appoint a like committee to confer on House amendments to Senate Bill No. 537.

The President appointed the following members:

Senator Goodheart, Chairman
Senator Drake
Senator Vainio

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

MOTIONS

Lucas moved that Senate Bill No. 555 be taken from the Committee on Labor and Employment Relations and placed on Second Reading this day.

Motion failed.

Lynch moved that the House accede to the Senate's request and return House Bill No. 871.

Motion carried.

Fasbender moved that the Speaker be authorized to appoint Conference Committees on House Amendments to Senate Bills Nos. 537, 568, and 579.

Motion carried.

The Speaker appointed the following Conference Committee to meet with a like committee from the Senate on House Amendments to Senate Bill No. 537: Norman, Chairman; Brand and Warfield.

The Speaker appointed the following Conference Committee to meet with a like committee from the Senate on House Amendments to Senate Bill No. 568: Fasbender, Chairman; Driscoll and Lundgren.

The Speaker appointed the following Conference Committee to meet with a like committee from the Senate on House Amendments to Senate Bill No. 579: Roberts, Chairman; Greely and Bell.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following resolutions were introduced, read first time and referred to committees:

House Resolution No. 74, introduced by Barrett, Asbjornson: A Resolution of the House of Representatives of the State of Montana concerning disposal of hazardous wastes. Referred to Committee on Natural Resources.

House Resolution No. 75, introduced by Cotton, R. Harper, Aageson, Kolstad, Murphy, Smith, Walborn, Fleming, Gunderson, Stephens, Stoltz, Lien, Jacobsen, Staigmiller, Galt, Clemow: A Resolution of the House of Representatives of the State of Montana directing the Montana Department of Agriculture and the Department of Livestock in cooperation with general farm and ranch organizations and commodity groups to prepare and provide data and information to the public concerning the relationship between the amount agriculture received and the final cost to the consumers. Referred to Committee on Agriculture, Livestock and Irrigation.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Fasbender moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading under the rules of the previous sitting.

Motion carried.

Marbut in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

March 7, 1974

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That House Resolution No. 60 be adopted. (75-0)

That House Resolution No. 67 be adopted. (62-4)

That Senate Bill No. 471 be concurred in. (55-18)

That Senate Bill No. 539 be passed for the day.

That Senate Bill No. 559 be concurred in. (76-1)

That Senate Bill No. 562 be concurred in. (79-0)

That Senate Bill No. 587 be concurred in. (67-9)

Prevost excused at this time.

That Senate Bill No. 593 be amended in Section 3, page 2, line 13 after the word "than" by striking the words and figures "twenty-five dollars (\$25)" and insert in lieu thereof the words and figures "five dollars (\$5)" (56-28), and

Further amend Section 1, Subsection (1), page 1, line 16 after the word "highways" by adding the words "for more than twelve (12) hours" (48-39), and

As amended, be not concurred in. (58-26)

That Senate Bill No. 619 be passed for the day.

That Senate Bill No. 626 be amended in Section 3, page 4, line 2, third reading copy, by striking the House Committee on State Administration amendment of this section in its entirety and further amend as follows: following the words "account", line 2, strike all of line 3, all of lines 4 through 10, and further amend by inserting in lieu thereof the following: "an amount equal to fifteen percent (15%) of the salaries paid to the highway patrolmen who are covered by this account. This contribution shall be for the fiscal year beginning July 1, 1974, only, and a new rate shall be established by the Forty-fourth Legislative Assembly." (67-0), and

Lund present at this time.

As amended, be concurred in. (76-1)

That Senate Bill No. 641 be concurred in. (47-23)

That Senate Bill No. 642 be amended in the third reading copy on page 2, after line 2 by omitting Section 2 in its entirety and inserting in lieu thereof new Sections 2, 3 and 4 to read as follows:

"Section 2. Application of act. The provisions of this act apply prospectively only, provided however, those persons who became eligible for workmen's compensation benefits for injury causing death after June 30, 1973, shall also come under the provisions of this act.

Section 3. Severability. It is the intent of the legislature that if a part of this act is invalid, all valid parts that are severable from the invalid part remain in effect. If a part of this act is invalid in one or more of its applications, the part remains in effect in all valid applications that are severable from the invalid applications.

Section 4. Effective date. This act is effective on its passage and approval." (66-0), and

As amended, be concurred in. (73-0)

That Senate Bill No. 655 be amended in Section 2, page 2, line 23 by adding the following new language after the word "matter": "if the governmental entity acknowledges or is bound by a judicial determination that the conduct upon which the claim is brought arises out of the course and scope of such employees employment," and

Further amend Section 2, page 3, lines 1 and 2 by striking the words "may be sued in his official capacity only and not personally and", and

Further amend Section 2, page 3, line 6 after the word "brought" by adding the words "did not arise out of the course and scope of his employment or" (69-0), and

As amended, be concurred in. (51-0)

That Senate Bill No. 674 be concurred in. (62-4)

That Senate Bill No. 681 be amended as follows:

Amend Section 6, page 6, line 5 following the word "permit" by inserting the following new material "for a new strip mine" (64-0), and

Be further amended in Section 8, page 10, before the material on line 4 by inserting a new subparagraph: "(1) The department may not issue a permit under this act if it finds that a new strip mine is not consistent with the purposes and policies of this act." and renumber the following subparagraphs accordingly, and

Be further amended in Section 8, page 10, lines 4 and 5 by striking: "areas of land or water included in the application shall not be approved by the department as" and insert in lieu thereof the following new material: "The department shall not approve", and

Be further amended in Section 8, page 10, line 6 by inserting after the words "work site" the following new material: "for any areas of land or water included in the application" (55-5), and

Be further amended in Section 14, page 14, line 17 by inserting after the word "act" the following new material: "to the extent it is applicable and relevant" (63-0), and

Be further amended following Section 14, page 14, line 21 by striking Section 15 in its entirety and inserting in lieu thereof the following new material:

"Section 15. Termination of permit. A mine site location permit granted by the department in accordance with the provisions of this act shall remain in full force and effect until the provisions of the permit are complied with and the bond is released, except that those areas of land covered by a mine site location permit for which a strip mining permit is granted pursuant to the provisions of chapter 10, title 50, shall be released from the terms and provisions of the mine site location permit." (75-1), and

Be further amended in Section 16, page 15, lines 2 through 6 by striking these lines in their entirety and insert in lieu thereof the following new material: "When the department has sufficient information to approve or disapprove a mine site location permit application on either the entire area being considered for a mine site location permit or a portion thereof on the grounds listed in section 50-1042(2) and (4), it shall so state in a written statement to the operator. This decision is binding on the department with regard to strip mining permit applications as specified in chapter 10, title 50, R.C.M. 1947, unless." (70-1), and

As amended, be concurred in. (75-6)

Galt excused at this time.

That Senate Bill No. 685 be concurred in. (78-0)

Prevost present at this time.

That Senate Bill No. 692 be not concurred in. (65-15)

That Senate Bill No. 693 be concurred in. (72-1)

That Senate Bill No. 697 be amended in Section 1, Subsection (1), page 1, lines 21 through 23 after the material "age." by striking the material "age alone may not be considered reasonable grounds for discrimination except when the distinction is required by law." (62-2), and

As amended, be concurred in. (54-29)

That Senate Bill No. 702 be concurred in. (49-24)

East excused at this time.

That Senate Bill No. 717 be concurred in. (63-11)

That Senate Joint Resolution No. 64 be passed for the day.

That Senate Joint Resolution No. 68 be concurred in. (69-7)

That Senate Amendments to House Bill No. 595 be concurred in. (63-2)

That Senate Amendments to House Bill No. 624 be passed to the bottom of the board.

That Senate Amendments to House Bill No. 699 be concurred in. (74-1)

That Senate Amendments to House Bill No. 716 be concurred in. (71-1)

That Senate Amendments to House Bill No. 755 be not concurred in. (66-8)

That Senate Amendments to House Bill No. 777 be concurred in. (70-0)

That Senate Amendments to House Bill No. 814 be concurred in. (67-7)

That Senate Amendments to House Bill No. 894 be concurred in. (77-2)

That Senate Amendments to House Bill No. 1034 be concurred in. (74-1)

That Senate Amendments to House Bill No. 1081 be concurred in. (47-32)

That Senate Amendments to House Joint Resolution No. 54 be concurred in. (75-1)

That the Free Joint Conference Committee Report on House Bill No. 732 be adopted. (77-2)

That Senate Amendments to House Bill No. 624 be concurred in. (79-2)

That the committee rise and report.

MARBUT, Chairman

Report adopted.

THIRD READING OF BILLS

The following bills and resolutions having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 829 failed to pass by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Barrett, Bell, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cox, East, Ellerd, Fagg, Forsgren, Galt, Glennen, Hager, Haines, Hubing, Johnston, Jones, Kessner, Kolstad, Kvaalen, Lockrem, Lund, Lundgren, Mann, Marbut, Marks, Mercer, Olson, Seifert, Selstad, Smith, Tierney, Towe, Turman, Turner, Walborn. Total 42.

Noes: Baeth, Bardanouve, Baucus, Bradley, Brand, Cotton, Driscoll, Edland, Fasbender, Fleming, Flynn, Greely, Gunderson, Hageman, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Huennekens, Jacobsen, Kendall, Kimble, Kosena, Laas, Lee, Lien, Lombardi, Lucas, Lynch, McKittrick, Manuel, Mehrens, Menahan, Murphy, Norman, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Shelden, Staigmiller, Stephens, Stoltz, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 53.

Paired: Aageson, Ainsworth, East, Galt, Aye; Baucus, Greely, Roberts, Yardley, Nay.

Excused: Hall, Holtz, Zimmer. Total 3.

Absent or not voting: Bennetts, Swanberg. Total 2.

House Bill No. 906 was passed by the following vote:

Ayes: Baeth, Bardanouve, Baucus, Bennetts, Bradley, Brand, Colberg, Cotton, Cox, Driscoll, Edland, Fagg, Fasbender, Fleming, Glennen, Gunderson, Hageman, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Huennekens, Jacobsen, Johnston, Kendall, Kimble, Kosena, Laas, Lee, Lien, Lombardi, Lucas, Lynch, McKittrick, Mann, Manuel, Marbut, Mehrens, Menahan, Murphy, Norman, Prevost, Quilici, Regan, Schepens, Shelden, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Ulmer, Watt, Yardley, Mr. Speaker. Total 60.

Noes: Asbjornson, Barrett, Bell, Brown, Burnett, Campbell, Castles, Clemow, Ellerd, Flynn, Forsgren, Hager, Hubing, Jones, Kessner, Kolstad, Kvaalen, Lockrem, Lund, Lundgren, Marks, Mercer, Olson, Rolfe, Schye, Seifert, Selstad, Smith, Turner, Walborn, Warfield. Total 31.

Paired: Baucus, Aye; Selstad, Nay.

Excused: Aageson, Ainsworth, East, Galt, Greely, Hall, Holtz, Zimmer. Total 8.

Absent or not voting: Roberts. Total 1.

House Bill No. 1105 was passed by the following vote:

Ayes: Asbjornson, Baeth, Bardanouve, Barrett, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Glennen, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Rolfe, Schepens, Seifert, Selstad, Shelden, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 85.

Noes: Burnett, Lockrem, Smith, Walborn. Total 4.

Excused: Aageson, Ainsworth, Baucus, East, Galt, Greely, Hall, Holtz, Zimmer. Total 9.

Absent or not voting: Roberts, Schye. Total 2.

House Bill No. 1111 was passed by the following vote:

Ayes: Asbjornson, Baeth, Bardanouve, Barrett, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Cotton, Driscoll, Edland, Ellerd, Fagg, Fasbender, Fleming, Forsgren, Glennen, Hageman, Hager, Haines, Halvorson, R. Harper, Healy, Hodges, Holmes, Hubing, Jacobsen, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Rolfe, Schepens, Schye, Shelden, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Watt, Yardley, Mr. Speaker. Total 74.

Noes: Burnett, Colberg, Cox, Flynn, Gunderson, H. Harper, Huennekens, Lockrem, Seifert, Selstad, Smith, Turner, Ulmer, Walborn, Warfield. Total 15.

Excused: Aageson, Ainsworth, Baucus, East, Galt, Greely, Hall, Holtz, Zimmer. Total 9.

Absent or not voting: Johnston, Roberts. Total 2.

Senate Bill No. 42 was concurred in by the following vote:

Ayes: Asbjornson, Baeth, Bardanouve, Barrett, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Colberg, Cotton, Driscoll, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Glennen, Gunderson, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kimble, Kolstad, Kosena, Laas, Lee, Lien, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Marbut, Marks, Mehrens, Menahan, Murphy, Norman, Prevost, Quilici, Regan, Schepens, Schye, Shelden,

Staigmilller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 73.

Noes: Burnett, Clemow, Cox, Hageman, Kessner, Kvaalen, Lockrem, Mercer, Rolfe, Seifert, Selstad, Smith, Turner, Walborn. Total 14.

Excused: Aageson, Ainsworth, Baucus, East, Galt, Greely, Hall, Holtz, Zimmer. Total 9.

Absent or not voting: Hubing, Manuel, Olson, Roberts. Total 4.

Senate Bill No. 367 was concurred in by the following vote:

Ayes: Asbjornson, Baeth, Bardanouve, Barrett, Bell, Bennetts, Bradley, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Driscoll, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Glennen, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lien, Lucas, Lund, Lundgren, Mann, Manuel, Marbut, Marks, Mehrens, Mercer, Murphy, Norman, Olson, Prevost, Regan, Rolfe, Schepens, Schye, Seifert, Shelden, Staigmilller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Watt, Mr. Speaker. Total 74.

Noes: Brand, Cox, R. Harper, Healy, Lee, Lockrem, Lombardi, Lynch, McKittrick, Menahan, Quilici, Selstad, Smith, Yardley. Total 14.

Excused: Aageson, Ainsworth, Baucus, East, Galt, Greely, Hall, Holtz, Zimmer. Total 9.

Absent or not voting: Burnett, Roberts, Warfield. Total 3.

Senate Bill No. 553 was concurred in by the following vote:

Ayes: Asbjornson, Baeth, Bardanouve, Barrett, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Glennen, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Olson, Prevost, Quilici, Regan, Rolfe, Schepens, Schye, Seifert, Shelden, Smith, Staigmilller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 87.

Noes: Norman. Total 1.

Excused: Aageson, Ainsworth, Baucus, East, Galt, Greely, Hall, Holtz, Zimmer. Total 9.

Absent or not voting: Kessner, Roberts, Selstad. Total 3.

Senate Bill No. 556 was concurred in by the following vote:

Ayes: Asbjornson, Baeth, Bardanouve, Barrett, Bell, Bennetts, Bradley, Brown, Burnett, Campbell, Castles, Clemow, Cotton, Cox, Driscoll, Edland, Ellerd, Fagg, Fasbender, Fleming, Forsgren, Glennen, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmilller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 86.

Noes: Brand, Flynn, Menahan. Total 3.

Excused: Aageson, Ainsworth, Baucus, East, Galt, Greely, Hall, Holtz, Zimmer. Total 9.

Absent or not voting: Colberg, Roberts. Total 2.

Senate Bill No. 558 was concurred in by the following vote:

Ayes: Asbjornson, Baeth, Bardanouve, Barrett, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Cotton, Cox, Driscoll, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Glennen, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Rolfe, Schepens, Schye, Seifert, Shelden, Smith, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 88.

Noes: None.

Excused: Aageson, Ainsworth, Baucus, East, Galt, Greely, Hall, Holtz, Zimmer. Total 9.

Absent or not voting: Colberg, Roberts, Selstad. Total 3.

Senate Bill No. 599 was concurred in by the following vote:

Ayes: Asbjornson, Baeth, Barrett, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, Edland, Ellerd, Fagg, Fasbender, Fleming, Forsgren, Glennen, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Laas, Lee, Lien, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marks, Mehrens, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 83.

Noes: Bardanouve, Flynn, R. Harper, Marbut, Menahan. Total 5.

Excused: Aageson, Ainsworth, Baucus, East, Galt, Greely, Hall, Holtz, Zimmer. Total 9.

Absent or not voting: Kvaalen, Lockrem, Roberts. Total 3.

Senate Bill No. 602 was concurred in by the following vote:

Ayes: Asbjornson, Baeth, Barrett, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Cotton, Driscoll, Edland, Ellerd, Fagg, Fleming, Flynn, Forsgren, Glennen, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Holmes, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Rolfe, Schepens, Schye, Selstad, Shelden, Smith, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 76.

Noes: Burnett, Colberg, Cox, Gunderson, Hodges, Hubing, Huennekens, Marks, Seifert, Staigmillier, Stephens. Total 11.

Excused: Aageson, Ainsworth, Baucus, East, Galt, Greely, Hall, Holtz, Zimmer. Total 9.

Absent or not voting: Bardanouve, Fasbender, Lockrem, Roberts. Total 4.

Senate Bill No. 625 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Bardanouve, Barrett, Bell, Bradley, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Ellerd, Fagg, Fleming, Forsgren, Galt, Glennen, Gunderson, Hageman, Hager, Haines, H. Harper, R. Harper, Hodges, Holmes, Hubing, Huennekens, Johnston, Jones, Kessner, Kimble, Kosena, Kvaalen, Lockrem, Lucas, Lund, Lundgren, McKittrick, Mann, Marks, Mehrens, Menahan, Mercer, Norman, Olson, Prevost, Regan, Roberts, Schepens, Schye, Seifert, Selstad, Smith, Staigmillier, Stephens, Stoltz, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Yardley. Total 69.

Noes: Baeth, Baucus, Brand, Brown, Edland, Fasbender, Flynn, Halvorson, Healy, Jacobsen, Kendall, Kolstad, Laas, Lee, Lien, Lombardi, Lynch, Manuel, Marbut, Murphy, Quilici, Rolfe, Shelden, Swanberg, Watt, Mr. Speaker. Total 26.

Paired: Aageson, Ainsworth, East, Galt, H. Harper, Roberts, Aye; Baucus, Fasbender, Lee, Lynch, Murphy, Quilici, Nay.

Excused: Greely, Hall, Holtz, Zimmer. Total 4.

Absent or not voting: Bennetts. Total 1.

Senate Bill No. 678 was concurred in by the following vote:

Ayes: Asbjornson, Baeth, Bardanouve, Barrett, Bell, Bradley, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Glennen, Gunderson, Hageman, Haines, H. Harper, R. Harper, Healy, Hodges, Holmes, Huennekens, Jacobsen, Kendall, Kessner, Kimble, Kolstad, Kosen, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmill, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Mr. Speaker. Total 80.

Noes: Brand, Brown, Hager, Johnston, Jones, Yardley. Total 6.

Excused: Aageson, Ainsworth, Baucus, East, Galt, Greely, Hall, Holtz, Zimmer. Total 9.

Absent or not voting: Bennetts, Burnett, Halvorson, Hubing, Roberts. Total 5.

Senate Bill No. 679 was concurred in by the following vote:

Ayes: Asbjornson, Baeth, Bardanouve, Barrett, Bell, Bradley, Brand, Brown, Campbell, Castles, Clemow, Cotton, Cox, Driscoll, Edland, Ellerd, Fagg, Fasbender, Flynn, Forsgren, Glennen, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Holmes, Hubing, Jacobsen, Johnston, Jones, Kendall, Kimble, Kosen, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, McKittrick, Mann, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Schepens, Schye, Seifert, Staigmill, Swanberg, Tierney, Turman, Turner, Ulmer, Walborn, Warfield, Yardley, Mr. Speaker. Total 71.

Noes: Burnett, Colberg, Fleming, Gunderson, Hodges, Huennekens, Kessner, Kolstad, Lynch, Manuel, Rolfe, Selstad, Shelden, Smith, Stephens, Stoltz, Towe. Total 17.

Excused: Aageson, Ainsworth, Baucus, East, Galt, Greely, Hall, Holtz, Zimmer. Total 9.

Absent or not voting: Bennetts, Roberts, Watt. Total 3.

Senate Bill No. 684 was concurred in by the following vote:

Ayes: Asbjornson, Baeth, Bardanouve, Barrett, Bennetts, Bradley, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Glennen, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kosen, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lynch, McKittrick, Mann, Manuel, Marbut, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Regan, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Staigmill, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 81.

Noes: Bell, Brand, Burnett, Hubing, Kolstad, Lundgren, Marks, Quilici, Smith. Total 9.

Excused: Aageson, Ainsworth, Baucus, East, Galt, Greely, Hall, Holtz, Zimmer. Total 9.

Absent or not voting: Roberts. Total 1.

Senate Bill No. 694 was concurred in by the following vote:

Ayes: Asbjornson, Baeth, Bardanouve, Barrett, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Cotton, Driscoll, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Glennen, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kimble, Kolstad, Kosena, Laas, Lee, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Quilici, Regan, Rolfe, Schepens, Schye, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Mr. Speaker. Total 77.

Noes: Burnett, Colberg, Cox, Hodges, Kessner, Kvaalen, Lockrem, Seifert, Selstad, Walborn, Yardley. Total 11.

Excused: Aageson, Ainsworth, Baucus, East, Galt, Greely, Hall, Holtz, Zimmer. Total 9.

Absent or not voting: Lien, Prevost, Roberts. Total 3.

Senate Bill No. 715 was concurred in by the following vote:

Ayes: Asbjornson, Baeth, Barrett, Bell, Brand, Brown, Burnett, Campbell, Clemow, Colberg, Cotton, Cox, Driscoll, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Glennen, Hageman, Hager, Haines, Halvorson, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 83.

Noes: Bardanouve, Bennetts, Bradley, Castles, Gunderson, H. Harper, Jacobsen, Lundgren. Total 8.

Paired: Roberts, Aye; Bradley, Nay.

Excused: Aageson, Ainsworth, Baucus, East, Galt, Greely, Hall, Holtz, Zimmer. Total 9.

Absent or not voting: None.

Senate Joint Resolution No. 42 was concurred in by the following vote:

Ayes: Asbjornson, Baeth, Bardanouve, Barrett, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Colberg, Cox, Driscoll, Edland, Ellerd, Fagg, Fasbender, Fleming, Forsgren, Glennen, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Huennekens, Jacobsen, Jones, Kendall, Kimble, Kosena, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, McKittrick, Mann, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Quilici, Regan, Rolfe, Schye, Shelden, Smith, Staigmiller, Stoltz, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 73.

Noes: Clemow, Cotton, Flynn, Kessner, Kolstad, Kvaalen, Lynch, Manuel, Olson, Prevost, Schepens, Seifert, Selstad, Stephens, Swanberg. Total 15.

Excused: Aageson, Ainsworth, Baucus, East, Galt, Greely, Hall, Holtz, Zimmer. Total 9.

Absent or not voting: Hubing, Johnston, Roberts. Total 3.

Senate Joint Resolution No. 53 was concurred in by the following vote:

Ayes: Asbjornson, Baeth, Bardanouve, Barrett, Bell, Bennetts, Bradley, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, Edland, Ellerd, Fagg, Fasbender, Fleming, Forsgren, Glennen, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad,

Kosena, Kvaalen, Laas, Lee, Lien, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Mehrens, Menahan, Mercer, Murphy, Norman, Prevost, Quilici, Regan, Rolfe, Schepens, Seifert, Selstad, Shelden, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 83.

Noes: Brand, Flynn, Lockrem, Marks, Olson, Smith. Total 6.

Excused: Aageson, Ainsworth, Baucus, East, Galt, Greely, Hall, Holtz, Zimmer. Total 9.

Absent or not voting: Roberts, Schye. Total 2.

Senate Joint Resolution No. 62 was concurred in by the following vote:

Ayes: Baeth, Bell, Bennetts, Bradley, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Driscoll, Edland, Fagg, Fasbender, Fleming, Forsgren, Glennen, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kessner, Kimble, Kolstad, Kosena, Laas, Lee, Lien, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Schepens, Schye, Seifert, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Mr. Speaker. Total 74.

Noes: Asbjornson, Barrett, Brand, Burnett, Cox, Ellerd, Flynn, Kendall, Kvaalen, Lockrem, Marks, Rolfe, Selstad, Walborn. Total 14.

Excused: Aageson, Ainsworth, Baucus, East, Galt, Greely, Hall, Holtz, Zimmer. Total 9.

Absent or not voting: Bardanouve, Roberts, Yardley. Total 3.

Senate Joint Resolution No. 63 was concurred in by the following vote:

Ayes: Asbjornson, Baeth, Bardanouve, Barrett, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Glennen, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Prevost, Quilici, Regan, Rolfe, Schepens, Seifert, Shelden, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 84.

Noes: Burnett, Hubing, Olson, Selstad. Total 4.

Excused: Aageson, Ainsworth, Baucus, East, Galt, Greely, Hall, Holtz, Zimmer. Total 9.

Absent or not voting: Roberts, Schye, Smith. Total 3.

Senate Joint Resolution No. 67 was concurred in by the following vote:

Ayes: Asbjornson, Baeth, Bardanouve, Barrett, Bell, Bennetts, Bradley, Brand, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Glennen, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lynch, McKittrick, Mann, Manuel, Marbut, Mehrens, Menahan, Mercer, Murphy, Norman, Prevost, Quilici, Regan, Rolfe, Schepens, Seifert, Shelden, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 81.

Noes: Olson, Selstad, Smith, Walborn. Total 4.

Excused: Aageson, Ainsworth, Baucus, East, Galt, Greely, Hall, Holtz, Zimmer. Total 9.

Absent or not voting: Brown, Lundgren, Marks, Roberts, Schye, Towe. Total 6.

Senate Amendments to House Bill No. 193 were concurred in by the following vote:

Ayes: Asbjornson, Baeth, Bardanouve, Barrett, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Glennen, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 89.

Noes: Hubing. Total 1.

Excused: Aageson, Ainsworth, Baucus, East, Galt, Greely, Hall, Holtz, Zimmer. Total 9.

Absent or not voting: Roberts. Total 1.

Senate Amendments to House Bill No. 478 were concurred in by the following vote:

Ayes: Asbjornson, Baeth, Bardanouve, Barrett, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Glennen, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 89.

Noes: Staigmillier. Total 1.

Excused: Aageson, Ainsworth, Baucus, East, Galt, Greely, Hall, Holtz, Zimmer. Total 9.

Absent or not voting: Roberts. Total 1.

Senate Amendments to House Bill No. 557 were concurred in by the following vote:

Ayes: Asbjornson, Baeth, Bardanouve, Barrett, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Glennen, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Rolfe, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmillier, Stephens, Stoltz, Swanberg, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 86.

Noes: Tierney. Total 1.

Excused: Aageson, Ainsworth, Baucus, East, Galt, Greely, Hall, Holtz, Zimmer. Total 9.

Absent or not voting: Holmes, Lien, Roberts. Total 3.

Senate Amendments to House Bill No. 582 were concurred in by the following vote:

Ayes: Asbjornson, Baeth, Bardanouve, Barrett, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Driscoll, Edland, Ellerd, Fagg, Fleming, Flynn, Forsgren, Glennen, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosen, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Rolfe, Schepens, Schye, Seifert, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 84.

Noes: Fasbender, Ulmer. Total 2.

Excused: Aageson, Ainsworth, Baucus, East, Galt, Greely, Hall, Holtz, Zimmer. Total 9.

Absent or not voting: Cotton, Cox, Huennekens, Roberts, Selstad. Total 5.

Senate Amendments to House Bill No. 600 were concurred in by the following vote:

Ayes: Asbjornson, Baeth, Bardanouve, Barrett, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Glennen, Gunderson, Hageman, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosen, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 85.

Noes: Burnett, Hager, Rolfe, Tierney, Walborn. Total 5.

Excused: Aageson, Ainsworth, Baucus, East, Galt, Greely, Hall, Holtz, Zimmer. Total 9.

Absent or not voting: Roberts. Total 1.

Senate Amendments to House Bill No. 681 were concurred in by the following vote:

Ayes: Asbjornson, Baeth, Bardanouve, Barrett, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Driscoll, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Glennen, Gunderson, Hageman, Hager, Haines, Halvorson, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kimble, Kolstad, Kosen, Laas, Lee, Lien, Lombardi, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Norman, Prevost, Quilici, Regan, Schepens, Schye, Shelden, Staigmiller, Stephens, Stoltz, Swanberg, Towe, Turman, Turner, Warfield, Watt, Yardley, Mr. Speaker. Total 73.

Noes: Burnett, Cox, H. Harper, Kessner, Lockrem, Lucas, Mann, Mercer, Olson, Rolfe, Seifert, Selstad, Smith, Tierney, Ulmer, Walborn. Total 16.

Excused: Aageson, Ainsworth, Baucus, East, Galt, Greely, Hall, Holtz, Zimmer. Total 9.

Absent or not voting: Kvaalen, Roberts. Total 2.

Senate Amendments to House Bill No. 764 were concurred in by the following vote:

Ayes: Asbjornson, Baeth, Bardanouve, Barrett, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Glennen, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosen, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer,

Murphy, Norman, Prevost, Quilici, Regan, Schepens, Schye, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 87.

Noes: Burnett, Rolfe. Total 2.

Excused: Aageson, Ainsworth, Baucus, East, Galt, Greely, Hall, Holtz, Zimmer. Total 9.

Absent or not voting: Olson, Roberts. Total 2.

Senate Amendments to House Bill No. 830 were concurred in by the following vote:

Ayes: Asbjornson, Baeth, Barrett, Bell, Bennetts, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, Edland, Ellerd, Fagg, Fleming, Flynn, Forsgren, Glennen, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Quilici, Regan, Rolfe, Schepens, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Towe, Turman, Turner, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 78.

Noes: Lucas, Mann, Mercer, Seifert, Tierney, Ulmer. Total 6.

Excused: Aageson, Ainsworth, Baucus, East, Galt, Greely, Hall, Holtz, Zimmer. Total 9.

Absent or not voting: Bardanouve, Bradley, Brand, Fasbender, Holmes, Roberts, Schye. Total 7.

Senate Amendments to House Bill No. 950 were concurred in by the following vote:

Ayes: Asbjornson, Baeth, Bardanouve, Barrett, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Glennen, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lombardi, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Rolfe, Schepens, Seifert, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Towe, Turman, Turner, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 84.

Noes: Burnett, Lockrem, Lucas, Tierney, Ulmer. Total 5.

Excused: Aageson, Ainsworth, Baucus, East, Galt, Greely, Hall, Holtz, Zimmer. Total 9.

Absent or not voting: Roberts, Schye. Total 2.

Senate Amendments to House Bill No. 974 were concurred in by the following vote:

Ayes: Asbjornson, Baeth, Bardanouve, Bell, Bennetts, Bradley, Brown, Campbell, Castles, Cotton, Driscoll, Edland, Fagg, Fasbender, Fleming, Forsgren, Glennen, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Kendall, Kessner, Kimble, Kolstad, Kvaalen, Laas, Lien, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Menahan, Murphy, Norman, Olson, Prevost, Regan, Schepens, Staigmiller, Stephens, Stoltz, Swanberg, Towe, Turman, Turner, Warfield, Watt, Yardley, Mr. Speaker. Total 61.

Noes: Barrett, Brand, Burnett, Clemow, Cox, Flynn, Kosena, Lee, Lucas, Mann, Marks, Mercer, Quilici, Rolfe, Schye, Seifert, Selstad, Smith, Tierney, Ulmer, Walborn. Total 21.

Excused: Aageson, Ainsworth, Baucus, East, Galt, Greely, Hall, Holtz, Zimmer. Total 9.

Absent or not voting: Colberg, Ellerd, Healy, Jones, Lockrem, Lombardi, Mehrens, Roberts, Shelden. Total 9.

Senate Amendments to House Joint Resolution No. 59 were concurred in by the following vote:

Ayes: Asbjornson, Baeth, Bardanouve, Bell, Bennetts, Bradley, Brown, Colberg, Cotton, Driscoll, Edland, Ellerd, Fagg, Fasbender, Fleming, Gunderson, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Huennekens, Jacobsen, Johnston, Kendall, Kimble, Kosena, Kvaalen, Laas, Lee, Lien, Lombardi, Lund, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Murphy, Prevost, Quilici, Regan, Schepens, Shelden, Staigmillier, Stephens, Stoltz, Towe, Turman, Watt, Yardley, Mr. Speaker. Total 56.

Noes: Brand, Burnett, Campbell, Castles, Clemow, Cox, Flynn, Glennen, Hageman, Hubing, Jones, Kessner, Kolstad, Lucas, Lundgren, Mann, Menahan, Mercer, Norman, Olson, Rolfe, Seifert, Selstad, Smith, Tierney, Turner, Ulmer, Walborn, Warfield. Total 29.

Excused: Aageson, Ainsworth, Baucus, East, Galt, Greely, Hall, Holtz, Zimmer. Total 9.

Absent or not voting: Barrett, Forsgren, Lockrem, Roberts, Schye, Swanberg. Total 5.

The Free Joint Conference Committee Report on House Bill No. 732 was adopted by the following vote:

Ayes: Asbjornson, Baeth, Bardanouve, Bell, Bennetts, Bradley, Brand, Brown, Clemow, Colberg, Cotton, Driscoll, Edland, Ellerd, Fagg, Fleming, Flynn, Forsgren, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Kendall, Kimble, Kosena, Laas, Lee, Lien, Lombardi, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Quilici, Regan, Rolfe, Schepens, Shelden, Staigmillier, Stephens, Stoltz, Swanberg, Towe, Turman, Walborn, Warfield, Watt, Mr. Speaker. Total 66.

Noes: Burnett, Campbell, Castles, Cox, Glennen, Jones, Kessner, Kolstad, Kvaalen, Lockrem, Lucas, Mann, Mercer, Schye, Tierney, Ulmer. Total 16.

Excused: Aageson, Ainsworth, Baucus, East, Galt, Greely, Hall, Holtz, Zimmer. Total 9.

Absent or not voting: Barrett, Fasbender, Johnston, Roberts, Seifert, Selstad, Smith, Turner, Yardley. Total 9.

REPORTS OF STANDING COMMITTEES

Objection raised by Fasbender on adverse committee report on Senate Bill No. 418. Referred to Second Reading.

March 7, 1974

I have examined House Bill No. 739 introduced by me and find the same to be correct.

BARDANOUE

March 7, 1974

I have examined House Bill No. 815 introduced by me and find the same to be correct.

ASBJORNSON

March 7, 1974

I have examined House Bill No. 599 introduced by me and find the same to be correct.

ULMER

March 7, 1974

I have examined House Bill No. 818 introduced by me and find the same to be correct.

FASBENDER

March 6, 1974

I have examined House Bill No. 1074 introduced by me and find the same to be correct.

HOLTZ

March 7, 1974

I have examined House Bill No. 661 introduced by me and find the same to be correct.

FASBENDER

March 7, 1974

I have examined House Bill No. 738 introduced by me and find the same to be correct.

BARDANOUVE

March 7, 1974

I have examined House Bill No. 635 introduced by me and find the same to be correct.

ROBERTS

March 7, 1974

I have examined House Bill No. 928 introduced by me and find the same to be correct.

LYNCH

March 7, 1974

I have examined House Bill No. 1021 introduced by me and find the same to be correct.

LYNCH

March 7, 1974

I have examined House Bill No. 1083 introduced by me and find the same to be correct.

MURPHY

March 7, 1974

I have examined House Joint Resolution No. 79 introduced by me and find the same to be correct.

ELLERD

March 7, 1974

I have examined House Bill No. 802 introduced by me and find the same to be correct.

NORMAN

March 7, 1974

I have examined House Bill No. 926 introduced by me and find the same to be correct.

MURPHY

March 6, 1974

I have examined House Bill No. 598 introduced by me and find the same to be correct.

BRAND

March 7, 1974

I have examined House Joint Resolution No. 51 introduced by me and find the same to be correct.

McKITTRICK

March 7, 1974

I have examined House Bill No. 887 introduced by me and find the same to be correct.

LUCAS

March 7, 1974

I have examined House Bill No. 740 introduced by me and find the same to be correct.

BARDANOUE

March 7, 1974

The following bills and resolutions will be signed on adjournment on March 7, 1974, in the office of the Speaker of the House of Representatives: House Bill No. 598, House Bill No. 599, House Bill No. 635, House Bill No. 661, House Bill No. 738, House Bill No. 739, House Bill No. 740, House Bill No. 802, House Bill No. 815, House Bill No. 818, House Bill No. 887, House Bill No. 926, House Bill No. 928, House Bill No. 1021, House Bill No. 1074, House Bill No. 1083, House Joint Resolution No. 51, House Joint Resolution No. 79, Senate Joint Resolution No. 52, Senate Bill No. 549, Senate Bill No. 501, Senate Bill No. 563.

EDWIN A. SMITH, Chief Clerk
House of Representatives

March 7, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills and resolutions correctly enrolled: House Bill No. 598, House Bill No. 599, House Bill No. 635, House Bill No. 661, House Bill No. 738, House Bill No. 739, House Bill No. 740, House Bill No. 802, House Bill No. 815, House Bill No. 818, House Bill No. 887, House Bill No. 926, House Bill No. 928, House Bill No. 1021, House Bill No. 1074, House Bill No. 1083, House Joint Resolution No. 51, House Joint Resolution No. 79.

QUILICI, Chairman

March 7, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill correctly printed: House Bill No. 527.

QUILICI, Chairman

March 7, 1974

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Resolution No. 63, respectfully report as follows: That House Resolution No. 63 be not adopted.

BRAND, Chairman

March 7, 1974

Mr. Speaker: We, your Committee on State Administration, having had under

consideration House Resolution No. 65, respectfully report as follows: That House Resolution No. 65 be not adopted.

BRAND, Chairman

March 7, 1974

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Resolution No. 68, respectfully report as follows: That House Resolution No. 68 be not adopted.

BRAND, Chairman

March 7, 1974

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Resolution No. 62, respectfully report as follows: That House Resolution No. 62 be amended in the title on page 1, line 6 after the word "milk" by omitting the word "quality" and inserting in lieu thereof the word "components", and

Be further amended on page 1, line 11 after the material "test the", by omitting the word "quality" and inserting in lieu thereof the word "components", and

Be further amended on page 1, line 19 after the word "testing" by omitting the material "the quality of milk", and inserting in lieu thereof the following material: "licensed dairy milk for butterfat, solids-not-fat and/or protein as a measure for determining its market value for sale to milk plants where product is to be processed.", and

As amended, be adopted.

BRAND, Chairman

Report adopted.

March 7, 1974

Mr. Speaker: We, your Committee on State Administration, having had under consideration House Resolution No. 69, respectfully report as follows: That House Resolution No. 69 be amended on page 1, line 25 after the word "Speaker", by inserting the following material: "of the House and President of the Senate", and

As amended, be adopted.

BRAND, Chairman

Report adopted.

March 6, 1974

Mr. Speaker: We, your Committee on Labor and Employment Relations, having had under consideration Senate Bill No. 555, respectfully report as follows: That Senate Bill No. 555 be held in committee.

McKITTRICK, Chairman

Report adopted.

March 6, 1974

Mr. Speaker: We, your Committee on State Administration, having had under consideration Senate Bill No. 703, respectfully report as follows: That Senate Third Reading Bill No. 703 be amended on page 1, Section 1, line 20 by omitting the material "\$18,500" and inserting in lieu thereof the material "\$20,500", and

Be further amended on page 2, Section 3, lines 16 and 17 by omitting the material "December 31, 1974" and inserting in lieu thereof the material "July 1, 1974", and

Be without committee recommendation.

BRAND, Chairman

Report adopted.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 952 was adopted by the following vote:

Ayes: Asbjornson, Baeth, Bardanouve, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Cotton, Driscoll, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Hageman, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Rolfe, Schepens, Seifert, Selstad, Smith, Staigmillar, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 79.

Noes: Burnett, Cox. Total 2.

Excused: Aageson, Ainsworth, Baucus, East, Galt, Greely, Hall, Holtz, Zimmer. Total 9.

Absent or not voting: Barrett, Colberg, Edland, Glennen, Gunderson, Hager, Huennekens, Roberts, Schye, Shelden. Total 10.

In accordance with the 24 hour rule, the adverse committee report on Senate Bill No. 580 was adopted by the following vote.

Ayes: Baeth, Bardanouve, Barrett, Bennetts, Bradley, Brand, Campbell, Clemow, Colberg, Cotton, Driscoll, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Glennen, Hageman, Hager, Haines, Halvorson, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kosena, Kvaalen, Lee, Lien, Lombardi, Lucas, Lund, Lynch, Manuel, Marbut, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Rolfe, Schye, Seifert, Staigmillar, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley. Total 67.

Noes: Bell, Burnett, Castles, Cox, H. Harper, Kolstad, Lundgren, Marks, Walborn. Total 9.

Excused: Aageson, Ainsworth, Baucus, East, Galt, Greely, Hall, Holtz, Zimmer. Total 9.

Absent or not voting: Asbjornson, Brown, Edland, Gunderson, Laas, Lockrem, McKittrick, Mann, Roberts, Schepens, Selstad, Shelden, Smith, Stephens, Mr. Speaker. Total 15.

In accordance with the 24 hour rule, the adverse committee report on Senate Bill No. 636 was adopted by the following vote:

Ayes: Baeth, Bardanouve, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Clemow, Colberg, Cotton, Driscoll, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Gunderson, Hageman, Hager, Haines, R. Harper, Healy, Hodges, Holmes, Huennekens, Jacobsen, Johnston, Kendall, Kessner, Kimble, Kolstad, Kosena, Laas, Lee, Lien, Lombardi, Lucas, Lund, Lynch, McKittrick, Manuel, Marbut, Mehrens, Menahan, Mercer, Murphy, Norman, Prevost, Quilici, Regan, Rolfe, Schepens, Seifert, Shelden, Smith, Staigmillar, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 71.

Noes: Barrett, Bell, Castles, Cox, Glennen, H. Harper, Hubing, Jones, Kvaalen, Lockrem, Lundgren, Mann, Marks, Schye, Selstad. Total 15.

Excused: Aageson, Ainsworth, Baucus, East, Galt, Greely, Hall, Holtz, Zimmer. Total 9.

Absent or not voting: Asbjornson, Edland, Halvorson, Olson, Roberts. Total 5.

In accordance with the 24 hour rule, the adverse committee report on Senate Bill No. 711 was adopted by the following vote:

Ayes: Baeth, Bardanouve, Barrett, Bennetts, Bradley, Brown, Campbell, Clemow,

Colberg, Cotton, Cox, Ellerd, Fagg, Fasbender, Fleming, Forsgren, Gunderson, Hageman, Haines, Halvorson, R. Harper, Healy, Hodges, Holmes, Huennekens, Jacobsen, Johnston, Jones, Kimble, Kosena, Laas, Lee, Lien, Lombardi, Lucas, Lund, Lynch, McKittrick, Manuel, Marbut, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Schepens, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Towe, Turman, Watt, Yardley, Mr. Speaker. Total 61.

Noes: Asbjornson, Bell, Brand, Burnett, Castles, Driscoll, Flynn, Glennen, Hager, H. Harper, Hubing, Kessner, Kolstad, Kvaalen, Lockrem, Lundgren, Mann, Marks, Rolfe, Schye, Seifert, Selstad, Turner, Ulmer, Walborn, Warfield. Total 26.

Excused: Aageson, Ainsworth, Baucus, East, Galt, Greely, Hall, Holtz, Zimmer. Total 9.

Absent or not voting: Edland, Kendall, Roberts, Tierney. Total 4.

In accordance with the 24 hour rule, the adverse committee report on Senate Joint Resolution No. 48 was adopted by the following vote:

Ayes: Asbjornson, Baeth, Bardanouve, Bell, Bennetts, Bradley, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Glennen, Gunderson, Hageman, Hager, Haines, Halvorson, R. Harper, Healy, Hodges, Jacobsen, Johnston, Jones, Kendall, Kimble, Kosena, Kvaalen, Laas, Lee, Lien, Lombardi, Lucas, Lund, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Norman, Prevost, Quilici, Regan, Rolfe, Schepens, Seifert, Shelden, Staigmiller, Stephens, Stoltz, Swanberg, Towe, Turman, Watt, Yardley, Mr. Speaker. Total 67.

Noes: Barrett, Brand, Burnett, H. Harper, Holmes, Hubing, Huennekens, Kessner, Kolstad, Lockrem, Mann, Mercer, Olson, Schye, Selstad, Smith, Tierney, Ulmer, Walborn. Total 19.

Excused: Aageson, Ainsworth, Baucus, East, Galt, Greely, Hall, Holtz, Zimmer. Total 9.

Absent or not voting: Edland, Lundgren, Roberts, Turner, Warfield. Total 5.

REPORT OF SELECT COMMITTEE

March 7, 1974

Free Joint Conference Committee Report Senate Bill No. 525

Mr. President and Speaker of the House:

We, your Free Joint Conference Committee on Senate Bill No. 525, beg leave to report as follows:

That we met this day and considered Senate Bill No. 525 dated February 27, 1974 and this Free Joint Conference Committee recommends as follows:

That the House recedes from its Committee of the Whole Amendments dated February 27, 1974 to Senate Bill No. 525 as follows:

"Amend section 2, page 2, line 17 by striking the punctuation ';' and inserting in lieu thereof the following punctuation '.', and

Further amend Section 2, page 2, line 18 through line 21 by striking all of the underlined material therein.";

And further that the Senate accedes to the remaining Committee of the Whole amendments dated February 27, 1974 to Senate Bill No. 525;

And further that Senate Bill No. 525 be amended by adding a new Section 6 to read as follows:

"Section 6. Severability. It is the intent of the legislature that if a part of this act is invalid, all valid parts that are severable from the invalid part remains in effect. If a part of this act is invalid in one or more of its applications, the part remains in effect in all valid applications that are severable from its invalid applications."

And that Senate Bill No. 525, as so amended, be concurred in.

FOR THE SENATE:

HALL

HARRISON

ROMNEY

FOR THE HOUSE:

JOHNSTON

LUCAS

MESSAGES FROM THE OTHER HOUSE

March 7, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate acceded to the request of the House, and authorized the President to appoint a Free Conference Committee to meet with a like committee of the House to confer on House Bill No. 507.

The President appointed the following members:

Senator Lynch, Chairman

Senator Zody

Senator Turnage

Respectfully yours,

JOHN N. HANSON

Secretary of the Senate

March 7, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate acceded to the request of the House, and authorized the President to appoint a Free Conference Committee to meet with a like committee of the House to confer on House Bill No. 705.

The President appointed the following members:

Senator Lynch, Chairman

Senator Zody

Senator Turnage

Respectfully yours,

JOHN N. HANSON

Secretary of the Senate

March 7, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate acceded to the request of the House, and authorized the President to appoint a Free Conference Committee to meet with a like committee of the House to confer on House Bill No. 703.

The President appointed the following members:

Senator Lynch, Chairman

Senator Zody

Senator Turnage

Respectfully yours,

JOHN N. HANSON

Secretary of the Senate

March 7, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate acceded to the request of the House, and authorized the President to appoint a Conference Committee to meet with a like committee from the House to confer on Senate amendments to House Bill No. 774.

The President appointed the following members:

Senator Romney, Chairman
Senator Hall
Senator Klindt

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

March 7, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate acceded to the request of the House, and authorized the President to appoint a Conference Committee to meet with a like committee from the House to confer on Senate Amendments to House Bill No. 694.

The President appointed the following members:

Senator Thiessen, Chairman
Senator Graham
Senator Mathers

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

March 7, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day, on Committee reports, not concurred in, reports adopted, and the said bills are herewith returned to the House:

House Bill No. 160 introduced by Marks, Hubing, et al
House Bill No. 326 introduced by Kimble, McKittrick, et al
House Bill No. 474 introduced by Swanberg, Lien, et al
House Bill No. 528 introduced by Towe, Marbut, et al
House Bill No. 542 introduced by Holmes, Towe, et al
House Bill No. 550 introduced by Bardanouve and Fagg
House Bill No. 567 introduced by Flynn and Glennen
House Bill No. 615 introduced by Barrett, Asbjornson, et al
House Bill No. 719 introduced by Greely, Swanberg, et al
House Bill No. 720 introduced by Greely, H. Harper and Roberts
House Bill No. 721 introduced by Greely, H. Harper and Roberts
House Bill No. 875 introduced by Huennekens

House Bill No. 901 introduced by Schye, Roberts and Brown

House Bill No. 904 introduced by Roberts and Schye

House Bill No. 965 introduced by Driscoll, Bardanouve

House Bill No. 970 introduced by Roberts, Baeth, et al

House Bill No. 1007 introduced by Bardanouve and Cox

House Bill No. 1024 introduced by Towe

House Bill No. 1080 introduced by Baucus, Mehrens, et al

House Bill No. 1085 introduced by Healy, Bell, et al

House Bill No. 1090 introduced by Bennetts, Norman and McKittrick

House Bill No. 1058 introduced by Baucus, Barrett, et al

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

MOTIONS

Fasbender moved that the Speaker be authorized to appoint a Conference Committee to meet with a like committee from the Senate on Senate amendments to House Bill No. 755.

Motion carried.

Fasbender moved that the rules be suspended and all bills that pass on Second Reading the 53rd Legislative Day be placed on Third Reading that day.

Motion failed.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following bill and resolutions were introduced, read first time and referred to committees:

House Resolution No. 76, introduced by Gunderson, Stephens, Kolstad, Edland, Laas, Lien, Brown, Hageman, Cotton, Kimble, Murphy: A resolution of the House of Representatives of the state of Montana requesting the Committee on Priorities to assign the Legislative Council to study custom combining taxation and fees. Referred to Committee on Agriculture, Livestock and Irrigation.

House Resolution No. 77, introduced by Gunderson, Fasbender, Towe, Fagg, Hager, Warfield, Stoltz: A resolution of the House of Representatives of the State of Montana requesting the Legislative Council staff to work with county election officials in providing the United States Census Bureau with information and advice for the creation of census enumeration districts prior to each federal population census. Referred to Committee on Constitution, Elections and Federal Relations.

House Resolution No. 78, introduced by Towe, Yardley, Roberts, Marbut, Brown, Bell, Warfield, Baeth, McKittrick, Lucas, R. Harper: A resolution of the House of Representatives of the State of Montana requesting the Architecture and Engineering Bureau of the Department of Administration to make a study of the present system of selecting architects, engineers, planners and similar professionals for state contracts and to recommend changes in the system. Referred to Committee on Judiciary.

House Resolution No. 79, introduced by Towe, Yardley, Roberts, Marbut, Brown, Warfield, Baeth, McKittrick, Lucas, R. Harper: A resolution of the House of Representatives of the State of Montana requesting the Priorities Committee to direct the appropriate standing committee to conduct a study of the present system by which non-bid contracts to perform professional services for the State of Montana are entered into and to make recommendations for improving that system to the next session of the Montana Legislature. Referred to Committee on Judiciary.

House Bill No. 1127, introduced by Fagg, Ulmer, Tierney, Watt, Kolstad, Halvorson, Norman, Towe, Yardley, Swanberg, Lundgren, Healy, Edland, Burnett: "An act appropriating fifty thousand dollars (\$50,000) from the General Fund to the Department of Intergovernmental Relations and to the Department of Revenue for the purpose of conducting a study of ways in which local political subdivisions, particularly rural counties, school districts and communities can be assisted in meeting the increase in local governmental services required in areas where major industrial development is taking place or is about to take place; providing for a return of the funds or any part of them to the General Fund if alternative federal or other funds are obtained; and providing an effective date." Referred to Committee on Finance and Claims.

Fasbender moved that the House adjourn until 1:30 p.m., March 8, 1974.

Motion carried.

House adjourned.

HAROLD E. GERKE, Speaker

EDWIN A. SMITH, Chief Clerk

FIFTY-THIRD LEGISLATIVE DAY

Helena, Montana
March 8, 1974

House Chambers
Capitol Building

House convened at 1:30 p.m., Mr. Speaker in the Chair.

Invocation by the Chaplain.

Pledge of Allegiance to the Flag.

Roll call. All members present except Aageson, Ainsworth, Galt, Hall, Schye, Seifert, Turner and Zimmer, all excused.

Quorum present.

Mr. Speaker: We, your Committee on Bills and Journal, having examined the daily journal for the Fifty-second Legislative Day, find the same to be correct.

QUILICI, Chairman

COMMUNICATIONS AND PETITIONS

The Speaker appointed the following Conference Committee to meet with a like committee from the Senate on Senate Amendments to House Bill No. 755: Murphy, Chairman; Gunderson and Turman.

The Speaker appointed the following Conference Committee to meet with a like committee from the Senate on House Amendments to Senate Bill No. 620: Gunderson, Chairman; Flynn and Smith.

REPORTS OF STANDING COMMITTEES

March 8, 1974

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bill No. 577, House Bill No. 587, House Bill No. 592, House Bill No. 593, House Bill No. 610, House Bill No. 643, House Bill No. 664, House Bill No. 686, House Bill No. 702, House Bill No. 711, House Bill No. 734, House Bill No. 736, House Bill No. 737, House Bill No. 742, House Bill No. 781, House Bill No. 783, House Bill No. 786, House Bill No. 788, House Bill No. 793, House Bill No. 796, House Bill No. 801, House Bill No. 813, House Bill No. 823, House Bill No. 827, House Bill No. 828, House Bill No. 839, House Bill No. 840, House Bill No. 852, House Bill No. 853, House Bill No. 857, House Bill No. 885, House Bill No. 899, House Bill No. 912, House Bill No. 914, House Bill No. 916, House Bill No. 922, House Bill No. 927, House Bill No. 938, House Bill No. 939, House Bill No. 940, House Bill No. 942, House Bill No. 947, House Bill No. 954, House Bill No. 958, House Bill

No. 966, House Bill No. 1060, House Bill No. 1098, do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day, at the hour of 10:00 o'clock, a.m., delivered to the Governor for his approval.

FLEMING, Vice-Chairman

March 8, 1974

The following bills and resolutions were signed in the office of the Speaker of the House of Representatives on March 7, 1974: House Bill No. 598, House Bill No. 599, House Bill No. 635, House Bill No. 661, House Bill No. 738, House Bill No. 739, House Bill No. 740, House Bill No. 802, House Bill No. 815, House Bill No. 818, House Bill No. 887, House Bill No. 926, House Bill No. 928, House Bill No. 1021, House Bill No. 1074, House Bill No. 1083, House Joint Resolution No. 51, House Joint Resolution No. 79, Senate Joint Resolution No. 52, Senate Bill No. 549, Senate Bill No. 501, Senate Bill No. 563.

EDWIN A. SMITH, Chief Clerk
House of Representatives

March 8, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following resolutions correctly printed: House Resolution No. 62, House Resolution No. 69, House Resolution No. 71.

FLEMING, Vice-Chairman

March 8, 1974

Mr. Speaker: We, your Committee on Finance and Claims, having had under consideration House Bill No. 1104, respectfully report as follows: That House Bill No. 1104 do not pass.

BARDANOUE, Chairman

March 8, 1974

Mr. Speaker: We, your Committee on Finance and Claims, having had under consideration House Bill No. 1112, respectfully report as follows: That House Bill No. 1112 do not pass.

BARDANOUE, Chairman

March 8, 1974

Mr. Speaker: We, your Committee on Finance and Claims, having had under consideration House Bill No. 1120, respectfully report as follows: That House Bill No. 1120 do not pass.

BARDANOUE, Chairman

REPORTS OF SELECT COMMITTEES

March 7, 1974

Joint Conference Committee Report
House Amendments to Senate Bill No. 620

Mr. President and Speaker of the House:

We, your Joint Conference Committee on House amendments to Senate Bill No. 620, beg leave to report as follows:

That we met this day and considered the House Committee on Agriculture, Livestock and Irrigation amendments dated February 28, 1974, on Senate Bill No. 620 and recommend as follows:

That the Senate accedes to the House amendments dated February 28, 1974 to Senate Bill No. 620;

And that Senate Bill No. 620 be concurred in as amended.

FOR THE SENATE:

BOYLAN

LOWE

ROMNEY

FOR THE HOUSE:

GUNDERSON

FLYNN

SMITH

March 7, 1974

Joint Conference Committee Report
House Amendments to Senate Bill No. 537

Mr. President and Speaker of the House:

We, your Joint Conference Committee on House amendments to Senate Bill No. 537, beg leave to report as follows:

That we met this day and considered House Committee on Local Government Amendments to Senate Bill No. 537, dated February 16, 1974, and recommend as follows:

That the House recede from its amendments on Senate Bill No. 537, dated February 16, 1974 and the Joint Conference Committee further recommends that the bill be amended as follows:

Amend the third reading copy, page 1, Section 1, line 11, following the word "legislature" by inserting the following new words and figures "after July 1, 1974";

And further that the Senate accedes to the House Local Government Committee amendments to Senate Bill 537, dated March 1, 1974;

And that Senate Bill No. 537 as so amended, be concurred in.

FOR THE SENATE:

GOODHEART

DRAKE

VAINIO

FOR THE HOUSE:

NORMAN

BRAND

WARFIELD

MESSAGES FROM THE OTHER HOUSE

March 8, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read third time, and concurred in as amended, titles and history agreed to, and the said bills are herewith returned to the House for concurrence in Senate amendments:

House Bill No. 448 introduced by Fagg, Smith, et al

House Bill No. 473 introduced by Bennetts, Baucus, et al

House Bill No. 494 introduced by Fagg, Lucas, et al

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

March 8, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day on Committee reports, not concurred in, reports adopted, and the said bills are herewith returned to the House:

House Bill No. 877 introduced by Marbut and Fasbender

House Bill No. 943 introduced by Kolstad, Burnett, et al

House Bill No. 1035 introduced by Fasbender and McKittrick

House Bill No. 1041 introduced by Swanberg and Greely

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

March 7, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was this day on Committee of the Whole, indefinitely postponed, as amended, report adopted, and the said bill is herewith returned to the House:

House Bill No. 850 introduced by Jacobsen, Edland, et al

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

March 7, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate acceded to the request of the House, and authorized the President to appoint a Conference Committee to meet with a like committee from the House to confer on Senate amendments to House Bill No. 879.

The President appointed the following members:

Senator Flynn, Chairman
Senator Sorensen
Senator Harrison

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

March 7, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate acceded to the request of the House, and authorized the President to appoint a Conference Committee to meet with a like committee from the House to confer on Senate amendments to House Bill No. 1073.

The President appointed the following members:

Senator Gilfeather, Chairman
Senator Drake
Senator Devine

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

MOTIONS

Lockrem moved that the House of Representatives direct the Legislative Auditor

to conduct an audit of the Department of Natural Resources, Chapter 327, Session Laws 1973, Utility Plant Siting Act.

As a substitute motion, Marbut moved that Lockrem's motion be amended by deleting the word "direct" after the word "representatives" and inserting in lieu thereof the word "request".

Speaker Pro Tempore replaces the Speaker in the chair.

Prevost and Olson excused at this time.

Lockrem and Marbut withdrew their motions.

Aageson present at this time.

Ulmer, having voted on the prevailing side on the previous legislative day in failing to pass House Bill No. 829 on Third Reading, moved that the House reconsider its action.

The Speaker resumes the chair.

Fasbender moved that the motion on House Bill No. 829 be laid on the table.

Motion carried.

Fasbender moved that the rules be suspended and all bills that pass Second Reading this day be placed on Third Reading today.

As a substitute motion, Burnett moved that Senate Bill No. 703 be not included in this motion.

Burnett withdrew his motion.

Motion carried.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following resolution was introduced, read first time and referred to committee.

House Resolution No. 80, introduced by Healy, Lombardi, Lee, Quilici, Seifert, R. Harper, McKittrick, Kolstad, Bell, Castles, Holmes, Lynch, Menahan, Haines, Brand, Mehrens, Turman, Mann, Kendall, Cox, Walborn, Smith, Bennetts, Clemow, Bardanouve, Schepens, Asbjornson, Olson, Lucas, Marbut, Driscoll, Prevost, Roberts, Baeth, Fagg, Barrett, Kosena, Edland, Hager, Murphy, Campbell, Shelden, Jacobsen, Cotton, Hageman, Tierney, Glennen, Huennekens, Burnett, H. Harper, Mercer, Kvaalen, Regan, Staigmiller, Warfield, Lockrem, Rolfe, Hodges, Halvorson, Manuel, Watt, Laas, Bradley, Stoltz, Towe, Fasbender, Gerke, Swanberg, Colberg: A House Resolution of the House of Representatives of the State of Montana requesting the division of workmen's compensation to conduct a study of the possibility of granting silicosis benefits to all surviving spouses of deceased individuals who have received silicosis benefits. Referred to Committee on Labor and Employment Relations.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Swanberg moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading under the rules of the previous sitting.

Motion carried.

Brand in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

March 8, 1974

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That House Bill No. 527 be amended as follows:

Amend Section 2, Subsection (A), page 8, lines 5 through 7 of the second reading bill by striking the following material "twenty percent (20%) of the delivered price of the coal less the cost of freight paid to a common carrier" and inserting in lieu thereof the following new material: "sixteen percent (16%) of the delivered price of the coal F.O.B. mine", and

Further amend Section 2, Subsection (B), page 8, lines 10 through 12 by striking the following material "twenty percent (20%) of the delivered price of the coal less the cost of freight paid to a common carrier" and inserting in lieu thereof the following new material: "sixteen percent (16%) of the delivered price of the coal F.O.B. mine", and

Further amend Section 2, Subsection (C), page 8, lines 15 through 17 by striking the following material: "twenty percent (20%) of the delivered price of the coal less the cost of freight paid to a common carrier" and inserting in lieu thereof the following new material: "sixteen percent (16%) of the delivered price of the coal F.O.B. mine", and

Further amend Section 2, Subsection (D), page 8, lines 20 through 22 by striking the following material "twenty percent (20%) of the delivered price of the coal less the cost of freight paid to a common carrier" and inserting in lieu thereof the following new material: "sixteen percent (16%) of the delivered price of the coal F.O.B. mine", and

Further amend Section 2, Subsection (E), page 8, line 25 through page 9, line 2 by striking the following material "twenty percent (20%) of the delivered price of the coal less the cost of freight paid to a common carrier" and inserting in lieu thereof the following new material: "sixteen percent (16%) of the delivered price of the coal F.O.B. mine", and

Further amend Section 2, Subsection (F), page 9, lines 5 through 7 by striking the following material: "twenty percent (20%) of the delivered price of the coal less the cost of freight paid to a common carrier" and inserting in lieu thereof the following new material: "sixteen percent (16%) of the delivered price of the coal F.O.B. mine" (78-0), and

Olson present at this time.

As amended, do pass. (59-35)

That House Bill No. 962 be amended in the title, lines 8, 9 and 10 by striking the words "and from" in line 8; striking line 9 in its entirety; and striking the words "disposition of gambling devices" in line 10 (70-0), and

As amended, do pass. (43-33)

That House Bill No. 1028 do pass. (72-0)

That House Resolution No. 70 be adopted. (61-4)

Hager excused at this time.

That Senate Bill No. 418 be not concurred in. (54-33)

That Senate Bill No. 539 be concurred in. (57-23)

That Senate Bill No. 619 be concurred in. (54-23)

That Senate Bill No. 630 be concurred in. (69-3)

That Senate Bill No. 682 be concurred in. (69-3)

That Senate Bill No. 703 be placed at the bottom of the board.

That Senate Joint Resolution No. 45 be passed for the day.

That Senate Joint Resolution No. 64 be amended in the third paragraph of the Committee on Constitution, Elections and Federal Relations March 6 amendments by adding the word "specifically" after the word "be" on line 6, and by adding the following new language after the word "law" on line 6: "by a two-thirds ($\frac{2}{3}$) vote of each house of the legislature" (71-6), and

As amended, be concurred in. (57-30)

That Senate Amendments to House Bill No. 466 be concurred in. (75-0)

That Senate Amendments to House Bill No. 556 be not concurred in. (61-10)

That Senate Amendments to House Bill No. 590 be concurred in. (67-0)

That Senate Amendments to House Bill No. 670 be not concurred in. (62-16)

That Senate Amendments to House Bill No. 859 be concurred in. (67-10)

That Senate Amendments to House Bill No. 1040 be concurred in. (81-0)

That Senate Amendments to House Joint Resolution No. 62 be concurred in. (73-1)

Ainsworth present at this time.

That the Free Joint Conference Committee Report to Senate Bill No. 525 be adopted. (66-17)

That Senate Bill No. 703 be concurred in. (59-28)

That the committee rise and report.

BRAND, Chairman

Report adopted.

THIRD READING OF BILLS

The following bills and resolutions, having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 953 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Glennen, Greely, Hageman, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Mercer, Norman, Olson, Quilici, Regan, Roberts, Rolfe, Schepens, Selstad, Shelden, Smith, Staigmilller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 85.

Noes: Gunderson, Menahan. Total 2.

Excused: Galt, Hager, Hall, Prevost, Schye, Seifert, Turner, Zimmer. Total 8.

Absent or not voting: East, Hubing, Kimble, Lundgren, Murphy. Total 5.

Senate Bill No. 471 was concurred in by the following vote:

Ayes: Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bradley, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Glennen, Greely, Gunderson, Hageman, Haines, Halvorson, R. Harper, Healy, Holmes, Holtz, Huennekens, Jacobsen, Johnston, Kendall, Kessner, Kimble, Kolstad, Kvaalen, Laas, Lee, Lien, Lockrem, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mercer, Murphy, Norman, Olson, Regan, Roberts, Schepens, Shelden, Staigmilller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 75.

Noes: Aageson, Bennetts, Brand, Forsgren, H. Harper, Hodges, Hubing, Kosena, Lombardi, Mehrens, Menahan, Quilici, Rolfe, Selstad, Walborn. Total 15.

Excused: Galt, Hager, Hall, Prevost, Schye, Seifert, Turner, Zimmer. Total 8.

Absent or not voting: Jones, Smith. Total 2.

Senate Bill No. 559 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Glennen, Greely, Gunderson, Hageman, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosen, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Quilici, Regan, Roberts, Rolfe, Schepens, Selstad, Shelden, Smith, Staigmillar, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 90.

Noes: Brand, Burnett. Total 2.

Excused: Galt, Hager, Hall, Prevost, Schye, Seifert, Turner, Zimmer. Total 8.

Absent or not voting: None.

Senate Bill No. 562 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fleming, Flynn, Forsgren, Glennen, Greely, Gunderson, Hageman, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosen, Laas, Lee, Lien, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Quilici, Regan, Roberts, Rolfe, Schepens, Selstad, Shelden, Smith, Staigmillar, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 86.

Noes: Colberg, Huennekens, Lockrem, Ulmer. Total 4.

Excused: Galt, Hager, Hall, Prevost, Schye, Seifert, Turner, Zimmer. Total 8.

Absent or not voting: Fasbender, Kvaalen. Total 2.

Senate Bill No. 587 was concurred in by the following vote:

Ayes: Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Glennen, Greely, Gunderson, Hageman, Haines, Halvorson, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kimble, Kolstad, Kosen, Kvaalen, Laas, Lee, Lien, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Mehrens, Menahan, Mercer, Murphy, Norman, Quilici, Regan, Roberts, Rolfe, Schepens, Shelden, Staigmillar, Stephens, Stoltz, Swanberg, Towe, Turman, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 79.

Noes: Aageson, Burnett, Driscoll, H. Harper, Holtz, Kessner, Lockrem, Marks, Selstad, Smith, Tierney, Walborn. Total 12.

Excused: Galt, Hager, Hall, Prevost, Schye, Seifert, Turner, Zimmer. Total 8.

Absent or not voting: Olson. Total 1.

Senate Bill No. 626 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, Edland, Ellerd, Fasbender, Fleming, Flynn, Forsgren, Glennen, Greely, Gunderson, Hageman, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Huennekens, Jacobsen, Jones, Kendall, Kessner, Kimble, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Quilici, Regan, Roberts, Rolfe, Schepens, Selstad, Shelden, Staigmillar, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Ulmer, Walborn, Warfield, Watt, Mr. Speaker. Total 81.

Noes: Burnett, East, Hubing, Smith. Total 4.

Excused: Galt, Hager, Hall, Prevost, Schye, Seifert, Turner, Zimmer. Total 8.

Absent or not voting: Bradley, Fagg, Johnston, Kolstad, Kosena, McKittrick, Yardley. Total 7.

Senate Bill No. 641 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Barrett, Baucus, Bell, Bradley, Brown, Burnett, Campbell, Castles, Cotton, Cox, Driscoll, Edland, Fagg, Fasbender, Fleming, Flynn, Forsgren, Greely, Gunderson, Hageman, Haines, Halvorson, Healy, Hodges, Holtz, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kvaalen, Laas, Lien, Lombardi, Lucas, Lundgren, Lynch, Mann, Manuel, Marks, Murphy, Olson, Quilici, Regan, Roberts, Rolfe, Selstad, Staigmilller, Stephens, Stoltz, Swanberg, Tierney, Towe, Ulmer, Walborn, Warfield, Yardley, Mr. Speaker. Total 62.

Noes: Baeth, Bardanouve, Bennetts, Brand, Clemow, Colberg, East, Ellerd, Glennen, H. Harper, R. Harper, Holmes, Hubing, Kimble, Kolstad, Kosena, Lee, Lockrem, Lund, McKittrick, Marbut, Mehrens, Menahan, Mercer, Norman, Schepens, Shelden, Turman, Watt. Total 29.

Excused: Galt, Hager, Hall, Prevost, Schye, Seifert, Turner, Zimmer. Total 8.

Absent or not voting: Smith. Total 1.

Senate Bill No. 642 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Glennen, Greely, Gunderson, Hageman, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Quilici, Roberts, Rolfe, Schepens, Selstad, Shelden, Staigmilller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 89.

Noes: Smith, Walborn. Total 2.

Excused: Galt, Hager, Hall, Prevost, Schye, Seifert, Turner, Zimmer. Total 8.

Absent or not voting: Regan. Total 1.

Senate Bill No. 655 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Barrett, Baucus, Bell, Bradley, Burnett, Campbell, Castles, Clemow, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Flynn, Forsgren, Glennen, Greely, Hageman, Haines, Halvorson, H. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Quilici, Regan, Roberts, Rolfe, Schepens, Selstad, Shelden, Smith, Stoltz, Swanberg, Tierney, Towe, Turman, Ulmer, Walborn, Warfield, Watt, Mr. Speaker. Total 78.

Noes: Bardanouve, Bennetts, Brand, Brown, Colberg, Fleming, Gunderson, R. Harper, Huennekens, Marbut, Staigmilller. Total 11.

Excused: Galt, Hager, Hall, Prevost, Schye, Seifert, Turner, Zimmer. Total 8.

Absent or not voting: Marks, Stephens, Yardley. Total 3.

Senate Bill No. 674 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Bell, Bradley, Brand, Brown, Burnett, Campbell, Castles, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Flynn, Forsgren, Glennen, Greely, Gunderson,

Hageman, Haines, Halvorson, Healy, Hodges, Holmes, Holtz, Hubing, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marks, Mehrens, Menahan, Mercer, Norman, Olson, Quilici, Regan, Roberts, Rolfe, Schepens, Selstad, Smith, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 81.

Noes: Baucus, Bennetts, Clemow, Colberg, Fleming, H. Harper, R. Harper, Marbut, Murphy, Shelden. Total 10.

Excused: Galt, Hager, Hall, Prevost, Schye, Seifert, Turner, Zimmer. Total 8.

Absent or not voting: Huennekens. Total 1.

Senate Bill No. 681 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Fagg, Fasbender, Fleming, Flynn, Forsgren, Glennen, Greely, Gunderson, Hageman, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Quilici, Regan, Roberts, Schepens, Shelden, Smith, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 86.

Noes: Burnett, Ellerd, Kolstad, Rolfe, Selstad. Total 5.

Excused: Galt, Hager, Hall, Prevost, Schye, Seifert, Turner, Zimmer. Total 8.

Absent or not voting: Olson. Total 1.

Senate Bill No. 685 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Flynn, Forsgren, Glennen, Greely, Hageman, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Quilici, Regan, Roberts, Rolfe, Schepens, Selstad, Shelden, Smith, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 90.

Noes: None.

Excused: Galt, Hager, Hall, Prevost, Schye, Seifert, Turner, Zimmer. Total 8.

Absent or not voting: Fleming, Gunderson. Total 2.

Senate Bill No. 693 was concurred in by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Glennen, Greely, Gunderson, Hageman, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lombardi, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Quilici, Regan, Roberts, Rolfe, Schepens, Shelden, Smith, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 84.

Noes: Ainsworth, Burnett, Lockrem, Lucas, Mann, Selstad, Ulmer. Total 7.

Excused: Galt, Hager, Hall, Prevost, Schye, Seifert, Turner, Zimmer. Total 8.

Absent or not voting: Marks. Total 1.

Senate Bill No. 697 was concurred in by the following vote:

Ayes: Aageson, Baeth, Bardanouve, Barrett, Baucus, Bennetts, Bradley, Brand, Brown, Castles, Colberg, Cotton, Cox, Driscoll, Edland, Fagg, Fasbender, Fleming, Flynn, Glennen, Greely, Gunderson, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Huennekens, Jacobsen, Johnston, Kendall, Kimble, Kosena, Laas, Lee, Lockrem, Lombardi, Lund, Lynch, McKittrick, Mann, Manuel, Marbut, Mehrens, Menahan, Murphy, Norman, Quilici, Regan, Roberts, Schepens, Shelden, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Watt, Yardley, Mr. Speaker. Total 63.

Noes: Ainsworth, Asbjornson, Bell, Burnett, Campbell, Clemow, East, Ellerd, Forsgren, Hageman, Haines, Hubing, Jones, Kessner, Kolstad, Kvaalen, Lien, Lucas, Lundgren, Mercer, Olson, Rolfe, Selstad, Smith, Ulmer, Walborn, Warfield. Total 27.

Excused: Galt, Hager, Hall, Prevost, Schye, Seifert, Turner, Zimmer. Total 8.

Absent or not voting: Marks, Staigmillier. Total 2.

Senate Bill No. 702 was concurred in by the following vote:

Ayes: Aageson, Bardanouve, Baucus, Bell, Bradley, Brown, Burnett, Castles, Clemow, Colberg, Driscoll, Ellerd, Fagg, Fasbender, Fleming, Flynn, Glennen, Hageman, Halvorson, H. Harper, Healy, Hodges, Holmes, Holtz, Huennekens, Jones, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lucas, Lund, Lundgren, Manuel, Marbut, Mehrens, Murphy, Norman, Quilici, Regan, Rolfe, Selstad, Staigmillier, Stephens, Stoltz, Towe, Turman, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 57.

Noes: Ainsworth, Asbjornson, Baeth, Barrett, Brand, Campbell, Cotton, Cox, East, Edland, Forsgren, Greely, Gunderson, Haines, R. Harper, Hubing, Jacobsen, Johnston, Kendall, Lombardi, Lynch, McKittrick, Mann, Marks, Menahan, Mercer, Olson, Roberts, Schepens, Shelden, Smith, Walborn. Total 32.

Excused: Galt, Hager, Hall, Prevost, Schye, Seifert, Turner, Zimmer. Total 8.

Absent: Bennetts, Swanberg, Tierney. Total 3.

Senate Bill No. 717 was concurred in by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Barrett, Baucus, Bell, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, Edland, Ellerd, Fasbender, Fleming, Flynn, Forsgren, Glennen, Greely, Hageman, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Hubing, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Quilici, Regan, Roberts, Rolfe, Schepens, Selstad, Shelden, Stephens, Stoltz, Swanberg, Turman, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 75.

Noes: Ainsworth, Bardanouve, Bennetts, Bradley, Burnett, Gunderson, Holmes, Holtz, Huennekens, Lien, Olson, Smith, Staigmillier, Towe. Total 14.

Excused: Galt, Hager, Hall, Prevost, Schye, Seifert, Turner, Zimmer. Total 8.

Absent: East, Fagg, Tierney. Total 3.

Senate Joint Resolution No. 68 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Colberg, Cotton, Driscoll, East, Edland, Fasbender, Fleming, Forsgren, Greely, Gunderson, Hageman, Haines, Halvorson, H. Harper, R. Harper, Healy, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kimble, Kolstad, Kosena, Laas, Lee, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Norman, Olson, Quilici, Regan, Roberts, Schepens, Shelden, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 72.

Noes: Bardanouve, Burnett, Clemow, Cox, Ellerd, Flynn, Glennen, Hodges, Holtz, Kessner, Kvaalen, Lien, Lockrem, Mercer, Rolfe, Selstad, Smith, Staigmiller, Walborn. Total 19.

Excused: Galt, Hager, Hall, Prevost, Schye, Seifert, Turner, Zimmer. Total 8.

Absent or not voting: Fagg. Total 1.

Senate Amendments to House Bill No. 595 were concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, Edland, Ellerd, Fasbender, Fleming, Flynn, Forsgren, Glennen, Greely, Gunderson, Hageman, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Menahan, Mercer, Murphy, Norman, Quilici, Regan, Roberts, Schepens, Shelden, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 83.

Noes: East, Lockrem, Rolfe, Selstad, Smith, Walborn. Total 6.

Excused: Galt, Hager, Hall, Prevost, Schye, Seifert, Turner, Zimmer. Total 8.

Absent or not voting: Fagg, Mehrens, Olson. Total 3.

Senate Amendments to House Bill No. 624 were concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fasbender, Fleming, Flynn, Forsgren, Glennen, Greely, Gunderson, Hageman, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Menahan, Mercer, Murphy, Norman, Olson, Quilici, Regan, Roberts, Rolfe, Schepens, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 90.

Noes: None.

Excused: Galt, Hager, Hall, Prevost, Schye, Seifert, Turner, Zimmer. Total 8.

Absent or not voting: Fagg, Mehrens. Total 2.

Senate Amendments to House Bill No. 699 were concurred in by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fasbender, Fleming, Flynn, Forsgren, Glennen, Greely, Gunderson, Hageman, Halvorson, H. Harper, Healy, Hodges, Holmes, Holtz, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Quilici, Regan, Roberts, Rolfe, Schepens, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Ulmer, Walborn, Warfield, Yardley, Mr. Speaker. Total 86.

Noes: Ainsworth, Haines, R. Harper, Hubing, Watt. Total 5.

Excused: Galt, Hager, Hall, Prevost, Schye, Seifert, Turner, Zimmer. Total 8.

Absent or not voting: Fagg. Total 1.

Senate Amendments to House Bill No. 716 were concurred in by the following vote:

Ayes: Aageson, Ainsworth, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Glennen, Greely, Gunderson, Hageman, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Laas, Lee, Lien, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Quilici, Regan, Roberts, Rolfe, Schepens, Shelden, Staigmilller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 83.

Noes: Burnett, Cox, Kvaalen, Lockrem, Olson, Selstad, Smith, Walborn. Total 8.

Excused: Galt, Hager, Hall, Prevost, Schye, Seifert, Turner, Zimmer. Total 8.

Absent or not voting: Asbjornson. Total 1.

Senate Amendments to House Bill No. 777 were concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, Edland, Ellerd, Fasbender, Fleming, Flynn, Forsgren, Glennen, Gunderson, Hageman, Haines, Halvorson, R. Harper, Healy, Hodges, Holmes, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kosena, Kvaalen, Laas, Lee, Lien, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Norman, Olson, Quilici, Regan, Roberts, Rolfe, Schepens, Shelden, Smith, Staigmilller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 81.

Noes: Brand, East, Greely, H. Harper, Hubing, Kolstad, Lockrem, Mercer, Selstad. Total 9.

Excused: Galt, Hager, Hall, Prevost, Schye, Seifert, Turner, Zimmer. Total 8.

Absent or not voting: Fagg, Holtz. Total 2.

Senate Amendments to House Bill No. 814 were concurred in by the following vote:

Ayes: Aageson, Asbjornson, Bardanouve, Barrett, Campbell, Castles, Clemow, Cox, Driscoll, East, Edland, Ellerd, Fagg, Forsgren, Glennen, Gunderson, Haines, Halvorson, Healy, Holtz, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Lee, Lien, Lombardi, Lucas, Lund, Lundgren, Lynch, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Olson, Quilici, Roberts, Rolfe, Schepens, Selstad, Smith, Stephens, Turman, Ulmer, Walborn, Warfield, Watt, Mr. Speaker. Total 56.

Noes: Ainsworth, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Colberg, Cotton, Greely, Hageman, H. Harper, Hodges, Holmes, Huennekens, Lockrem, McKittrick, Mercer, Murphy, Norman, Regan, Shelden, Staigmilller, Stoltz, Swanberg, Tierney, Towe, Yardley. Total 29.

Excused: Galt, Hager, Hall, Prevost, Schye, Seifert, Turner, Zimmer. Total 8.

Absent or not voting: Baeth, Fasbender, Fleming, Flynn, R. Harper, Hubing, Laas. Total 7.

Senate Amendments to House Bill No. 894 were concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Glennen, Greely, Gunderson, Hageman, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut,

Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Quilici, Regan, Roberts, Rolfe, Schepens, Selstad, Shelden, Smith, Staigmillier, Stephens, Swanberg, Tierney, Towe, Turman, Ulmer, Walborn, Warfield, Watt, Mr. Speaker. Total 89.

Noes: Stoltz, Yardley. Total 2.

Excused: Galt, Hager, Hall, Prevost, Schye, Seifert, Turner, Zimmer. Total 8.

Absent or not voting: Bardanouve. Total 1.

Senate Amendments to House Bill No. 1034 were concurred in by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Glennen, Gunderson, Hageman, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Jacobsen, Johnston, Jones, Kendall, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Norman, Olson, Quilici, Regan, Roberts, Rolfe, Schepens, Shelden, Smith, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 82.

Noes: Burnett, Greely, Haines, Hubing, Kessner, Lockrem, Mercer, Selstad. Total 8.

Excused: Galt, Hager, Hall, Prevost, Schye, Seifert, Turner, Zimmer. Total 8.

Absent or not voting: Ainsworth, Huennekens. Total 2.

Senate Amendments to House Bill No. 1081 were concurred in by the following vote:

Ayes: Ainsworth, Baeth, Bardanouve, Baucus, Brand, Brown, Campbell, Clemow, Cotton, Cox, Edland, Fasbender, Greely, Gunderson, Hageman, Healy, Jacobsen, Jones, Kendall, Kessner, Kimble, Kosena, Laas, Lee, Lien, Lombardi, Lucas, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Mehrens, Menahan, Murphy, Norman, Quilici, Regan, Roberts, Schepens, Shelden, Staigmillier, Stephens, Stoltz, Swanberg, Turman, Watt, Yardley, Mr. Speaker. Total 50.

Noes: Aageson, Asbjornson, Barrett, Bell, Bennetts, Bradley, Burnett, Castles, Colberg, East, Fagg, Fleming, Haines, Halvorson, H. Harper, R. Harper, Hodges, Holmes, Holtz, Hubing, Huennekens, Kolstad, Lockrem, Lund, Marks, Mercer, Olson, Rolfe, Selstad, Smith, Tierney, Towe, Ulmer, Walborn, Warfield. Total 35.

Excused: Galt, Hager, Hall, Prevost, Schye, Seifert, Turner, Zimmer. Total 8.

Absent or not voting: Driscoll, Ellerd, Flynn, Forsgren, Glennen, Johnston, Kvaalen. Total 7.

Senate Amendments to House Joint Resolution No. 54 were concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Glennen, Greely, Gunderson, Hageman, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Quilici, Regan, Roberts, Rolfe, Schepens, Selstad, Shelden, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 90.

Noes: Burnett. Total 1.

Excused: Galt, Hager, Hall, Prevost, Schye, Seifert, Turner, Zimmer. Total 8.

Absent or not voting: Smith. Total 1.

House Bill No. 527 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Baucus, Bennetts, Bradley, Brand, Brown, Castles, Colberg, Cotton, Cox, Driscoll, East, Edland, Fagg, Fasbender, Fleming, Flynn, Glennen, Greely, Gunderson, Hageman, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Kendall, Kessner, Kimble, Kosena, Laas, Lee, Lien, Lombardi, Lucas, Lynch, McKittrick, Manuel, Marbut, Mehrens, Menahan, Murphy, Norman, Olson, Quilici, Regan, Roberts, Schepens, Shelden, Smith, Staigmillier, Stephens, Stoltz, Swanberg, Towe, Turman, Ulmer, Walborn, Watt, Yardley, Mr. Speaker. Total 70.

Noes: Barrett, Bell, Burnett, Campbell, Clemow, Ellerd, Forsgren, Holtz, Johnston, Jones, Kolstad, Kvaalen, Lockrem, Lund, Lundgren, Mann, Marks, Mercer, Rolfe, Selstad, Warfield. Total 21.

Excused: Galt, Hager, Hall, Prevost, Schye, Seifert, Turner, Zimmer. Total 8.

Absent or not voting: Tierney. Total 1.

House Bill No. 962 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Colberg, Cotton, Cox, Driscoll, East, Edland, Fagg, Fasbender, Fleming, Flynn, Forsgren, Glennen, Greely, Gunderson, Hageman, Haines, Halvorson, Hodges, Holmes, Huennekens, Johnston, Kendall, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lien, Lockrem, Lucas, Mann, Marbut, Marks, Menahan, Mercer, Murphy, Norman, Regan, Schepens, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Ulmer, Walborn, Watt, Mr. Speaker. Total 64.

Noes: Bell, Clemow, Ellerd, H. Harper, R. Harper, Healy, Holtz, Hubing, Jacobsen, Kessner, Lee, Lombardi, Lund, Lundgren, Lynch, McKittrick, Manuel, Mehrens, Quilici, Roberts, Rolfe, Selstad, Shelden, Warfield, Yardley. Total 25.

Excused: Galt, Hager, Hall, Prevost, Schye, Seifert, Turner, Zimmer. Total 8.

Absent or not voting: Jones, Olson, Smith. Total 3.

House Bill No. 1028 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Glennen, Greely, Gunderson, Hageman, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Quilici, Regan, Roberts, Rolfe, Schepens, Selstad, Shelden, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 91.

Noes: Smith. Total 1.

Excused: Galt, Hager, Hall, Prevost, Schye, Seifert, Turner, Zimmer. Total 8.

Absent or not voting: None.

Senate Bill No. 539 was concurred in by the following vote:

Ayes: Aageson, Bardanouve, Barrett, Brand, Brown, Burnett, Campbell, Colberg, Cotton, Driscoll, Edland, Ellerd, Fagg, Fleming, Flynn, Forsgren, Glennen, Greely, Gunderson, Hageman, Haines, Halvorson, R. Harper, Healy, Hodges, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Laas, Lee, Lien, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Quilici, Rolfe, Schepens, Selstad, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Warfield, Watt, Mr. Speaker. Total 65.

Noes: Ainsworth, Asbjornson, Baeth, Baucus, Bell, Bennetts, Bradley, Castles, Clemow, Cox, East, Fasbender, H. Harper, Holmes, Hubing, Kvaalen, Lockrem, Mann, Marks, Regan, Roberts, Shelden, Smith, Ulmer, Walborn, Yardley. Total 26.

Excused: Galt, Hager, Hall, Prevost, Schye, Seifert, Turner, Zimmer. Total 8.

Absent or not voting: Holtz. Total 1.

Senate Bill No. 619 was concurred in by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Barrett, Bradley, Brown, Burnett, Campbell, Castles, Colberg, Cotton, Cox, East, Edland, Fagg, Fleming, Flynn, Greely, Gunderson, Hageman, Haines, Halvorson, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Kendall, Kessner, Kimble, Kolstad, Kosena, Laas, Lee, Lien, Lombardi, Lynch, McKittrick, Manuel, Marbut, Mehrens, Menahan, Murphy, Norman, Quilici, Regan, Roberts, Rolfe, Schepens, Selstad, Shelden, Staigmilller, Stephens, Stoltz, Towe, Turman, Walborn, Warfield, Watt, Mr. Speaker. Total 64.

Noes: Bardanouve, Baucus, Bell, Bennetts, Brand, Clemow, Ellerd, Fasbender, Forsgren, Glennen, H. Harper, Jones, Kvaalen, Lockrem, Lucas, Lund, Lundgren, Mann, Marks, Mercer, Olson, Smith, Swanberg, Tierney, Ulmer, Yardley. Total 26.

Excused: Galt, Hager, Hall, Prevost, Schye, Seifert, Turner, Zimmer. Total 8.

Absent or not voting: Ainsworth, Driscoll. Total 2.

Senate Bill No. 630 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fleming, Flynn, Forsgren, Glennen, Greely, Gunderson, Hageman, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Quilici, Regan, Rolfe, Schepens, Selstad, Shelden, Smith, Staigmilller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 87.

Noes: Bardanouve, Haines, Roberts. Total 3.

Excused: Galt, Hager, Hall, Prevost, Schye, Seifert, Turner, Zimmer. Total 8.

Absent or not voting: Castles, Fasbender. Total 2.

Senate Bill No. 682 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Glennen, Greely, Gunderson, Hageman, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Quilici, Regan, Roberts, Rolfe, Schepens, Selstad, Shelden, Smith, Staigmilller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 90.

Noes: Burnett. Total 1.

Excused: Galt, Hager, Hall, Prevost, Schye, Seifert, Turner, Zimmer. Total 8.

Absent or not voting: Lombardi. Total 1.

Senate Joint Resolution No. 64 was adopted by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Barrett, Bell, Brown, Burnett, Campbell, Castles, Cotton, Cox, East, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Glennen, Hageman, Haines, Healy, Holtz, Hubing, Jacobsen, Johnston, Jones,

Kendall, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Mann, Manuel, Marks, Mehrens, Menahan, Mercer, Murphy, Olson, Quilici, Rolfe, Schepens, Selstad, Smith, Stephens, Swanberg, Tierney, Ulmer, Mr. Speaker. Total 57.

Noes: Baeth, Bardanouve, Baucus, Bennetts, Bradley, Brand, Clemow, Colberg, Driscoll, Edland, Greely, Gunderson, Halvorson, H. Harper, R. Harper, Hodges, Holmes, Huennekens, Kessner, Kimble, Lynch, McKittrick, Marbut, Norman, Regan, Roberts, Shelden, Staigmillar, Stoltz, Towe, Turman, Walborn, Warfield, Watt, Yardley. Total 35.

Excused: Galt, Hager, Hall, Prevost, Schye, Seifert, Turner, Zimmer. Total 8.

Absent or not voting: None.

Senate Amendments to House Bill No. 466 were concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Glennen, Greely, Gunderson, Hageman, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holtz, Hubing, Jacobsen, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Quilici, Regan, Roberts, Rolfe, Schepens, Selstad, Smith, Staigmillar, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 86.

Noes: None.

Excused: Galt, Hager, Hall, Prevost, Schye, Seifert, Turner, Zimmer. Total 8.

Absent or not voting: East, Holmes, Huennekens, Johnston, Olson, Shelden. Total 6.

Senate Amendments to House Bill No. 590 were concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fleming, Flynn, Forsgren, Glennen, Greely, Gunderson, Hageman, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Quilici, Regan, Roberts, Rolfe, Schepens, Selstad, Shelden, Smith, Staigmillar, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 89.

Noes: None.

Excused: Galt, Hager, Hall, Prevost, Schye, Seifert, Turner, Zimmer. Total 8.

Absent or not voting: Bardanouve, Fasbender, Olson. Total 3.

Senate Amendments to House Bill No. 859 were concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bennetts, Bradley, Burnett, Campbell, Castles, Clemow, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Glennen, Greely, Gunderson, Hageman, Haines, Halvorson, R. Harper, Healy, Hodges, Holmes, Hubing, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kosena, Laas, Lee, Lien, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Norman, Olson, Quilici, Regan, Roberts, Rolfe, Schepens, Selstad, Smith, Staigmillar, Stoltz, Swanberg, Towe, Turman, Ulmer, Warfield, Watt, Mr. Speaker. Total 75.

Noes: Bell, Brand, Brown, Colberg, H. Harper, Holtz, Huennekens, Kvaalen, Lockrem, Mann, Mercer, Stephens, Tierney, Walborn, Yardley. Total 15.

Excused: Galt, Hager, Hall, Prevost, Schye, Seifert, Turner, Zimmer. Total 8.

Absent or not voting: Kolstad, Shelden. Total 2.

Senate Amendments to House Bill No. 1040 were concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Glennen, Greely, Gunderson, Hageman, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosen, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Quilici, Regan, Roberts, Rolfe, Schepens, Selstad, Shelden, Smith, Staigmillier, Stoltz, Swanberg, Tierney, Towe, Turman, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 91.

Noes: None.

Excused: Galt, Hager, Hall, Prevost, Schye, Seifert, Turner, Zimmer. Total 8.

Absent or not voting: Stephens. Total 1.

Senate Amendments to House Joint Resolution No. 62 were concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Driscoll, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Glennen, Greely, Gunderson, Hageman, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosen, Kvaalen, Laas, Lee, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Quilici, Regan, Roberts, Schepens, Shelden, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Ulmer, Walborn, Warfield, Watt, Mr. Speaker. Total 83.

Noes: Burnett, Cox, East, Lien, Rolfe, Selstad, Yardley. Total 7.

Excused: Galt, Hager, Hall, Prevost, Schye, Seifert, Turner, Zimmer. Total 8.

Absent or not voting: Hubing, Smith. Total 2.

The Free Joint Conference Committee Report on Senate Bill No. 525 was adopted by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Baucus, Bell, Brand, Brown, Burnett, Campbell, Cotton, Cox, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Glennen, Greely, Gunderson, Hageman, Haines, Halvorson, H. Harper, Healy, Holtz, Hubing, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosen, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, Mann, Manuel, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Quilici, Roberts, Rolfe, Schepens, Selstad, Shelden, Smith, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Towe, Ulmer, Walborn, Warfield, Watt, Mr. Speaker. Total 73.

Noes: Barrett, Bennetts, Bradley, Castles, Colberg, Driscoll, East, R. Harper, Hodges, Holmes, Huennekens, Jacobsen, McKittrick, Marbut, Regan, Turman, Yardley. Total 17.

Excused: Galt, Hager, Hall, Prevost, Schye, Seifert, Turner, Zimmer. Total 8.

Absent or not voting: Clemow, Olson. Total 2.

Senate Bill No. 703 was concurred in by the following vote:

Ayes: Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Campbell, Edland, Fasbender, Fleming, Flynn, Glennen, Greely, Gunderson, Hageman, Halvorson, R. Harper, Healy, Hodges, Huennekens, Jacobsen, Johnston,

Kessner, Kimble, Kosena, Laas, Lee, Lien, Lucas, Lund, Lynch, McKittrick, Mehrens, Menahan, Murphy, Norman, Olson, Quilici, Roberts, Schepens, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 54.

Noes: Aageson, Ainsworth, Asbjornson, Brown, Burnett, Clemow, Colberg, Cox, Driscoll, East, Ellerd, Fagg, Forsgren, Haines, H. Harper, Holmes, Holtz, Jones, Kendall, Kolstad, Kvaalen, Lockrem, Lombardi, Lundgren, Mann, Manuel, Marbut, Marks, Mercer, Regan, Rolfe, Selstad, Shelden, Smith, Walborn. Total 35.

Excused: Galt, Hager, Hall, Prevost, Schye, Seifert, Turner, Zimmer. Total 8.

Absent or not voting: Castles, Cotton, Hubing. Total 3.

REPORTS OF STANDING COMMITTEES

March 8, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills and resolutions correctly enrolled: House Bill No. 576, House Bill No. 607, House Bill No. 671, House Bill No. 806, House Bill No. 843, House Bill No. 848, House Bill No. 907, House Bill No. 920, House Bill No. 1026, House Bill No. 1069, House Bill No. 1082, House Resolution No. 55, House Joint Resolution No. 80, House Resolution No. 60.

QUILICI, Chairman

March 8, 1974

The following bills and resolutions will be signed on adjournment on March 8, 1974, in the office of the Speaker of the House of Representatives: House Bill No. 576, House Bill No. 607, House Bill No. 671, House Bill No. 806, House Bill No. 843, House Bill No. 848, House Bill No. 907, House Bill No. 920, House Bill No. 1026, House Bill No. 1069, House Bill No. 1082, House Resolution No. 55, House Joint Resolution No. 80, House Resolution No. 60, Senate Bill No. 240, Senate Bill No. 479, Senate Bill No. 489, Senate Bill No. 530, Senate Bill No. 574, Senate Bill No. 577, Senate Bill No. 604, Senate Bill No. 648, Senate Bill No. 669, Senate Bill No. 676, Senate Bill No. 732, Senate Joint Resolution No. 44, Senate Joint Resolution No. 59.

EDWIN A. SMITH, Chief Clerk
House of Representatives

March 8, 1974

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bill No. 598, House Bill No. 599, House Bill No. 635, House Bill No. 661, House Bill No. 738, House Bill No. 739, House Bill No. 740, House Bill No. 802, House Bill No. 815, House Bill No. 818, House Bill No. 887, House Bill No. 926, House Bill No. 928, House Bill No. 1021, House Bill No. 1074, House Bill No. 1083, do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day, at the hour of 1:30 o'clock, p.m., delivered to the Governor for his approval.

QUILICI, Chairman

March 8, 1974

I have examined House Bill No. 806 introduced by me and find the same to be correct.

COX

March 8, 1974

I have examined House Bill No. 1026 introduced by me and find the same to be correct.

LUCAS

March 8, 1974

I have examined House Bill No. 848 introduced by me and find the same to be correct.

YARDLEY

March 8, 1974

I have examined House Bill No. 1082 introduced by me and find the same to be correct.

HAGER

March 8, 1974

I have examined House Bill No. 1069 introduced by me and find the same to be correct.

EDLAND

March 8, 1974

I have examined House Bill No. 576 introduced by me and find the same to be correct.

BARDANOUE

March 8, 1974

I have examined House Resolution No. 60 introduced by me and find the same to be correct.

EDLAND

March 8, 1974

I have examined House Bill No. 920 introduced by me and find the same to be correct.

GREELY

March 8, 1974

I have examined House Bill No. 671 introduced by me and find the same to be correct.

MENAHAN

March 8, 1974

I have examined House Bill No. 607 introduced by me and find the same to be correct.

QUILICI

March 8, 1974

I have examined House Bill No. 907 introduced by me and find the same to be correct.

LOMBARDI

March 8, 1974

I have examined House Joint Resolution No. 80 introduced by me and find the same to be correct.

McKITTRICK

March 8, 1974

I have examined House Resolution No. 55 introduced by me and find the same to be correct.

BRAND

March 8, 1974

I have examined House Bill No. 843 introduced by me and find the same to be correct.

KIMBLE

March 8, 1974

Mr. Speaker: We, your Committee on Legislative Administration, recommend that the following be employed by the House of Representatives for the Second Regular Session of the 43rd Legislature at the beginning of business March 11, 1974:

Wayne Boeck.....	Page
Kathleen Murphy.....	Page
Deanna Strand.....	Page

At the close of business March 9, 1974 the following be terminated:

Cara Bonhert.....	Page
Marilyn Gertenberger.....	Page
Rosalie Stimatz.....	Page
Deborah Talbot.....	Page
Patti Briese.....	Steno

At the close of business March 13, 1974 the following be terminated:

Lynnette Goldsworthy.....	Page
Linda Gunderson.....	Page
Kathy Hauf.....	Page
Bruce Miller.....	Page

EDLAND, Chairman

Report adopted.

March 8, 1974

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration House Resolution No. 77, respectfully report as follows: That House Resolution No. 77 be adopted.

LOMBARDI, Chairman

Report adopted.

March 8, 1974

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Resolution No. 78, respectfully report as follows: That House Resolution No. 78 be adopted.

YARDLEY, Vice-Chairman

Report adopted.

March 8, 1974

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Resolution No. 79, respectfully report as follows: That House Resolution No. 79 be adopted.

YARDLEY, Vice-Chairman

Report adopted.

March 8, 1974

Mr. Speaker: We, your Committee on Constitution, Elections and Federal Relations, having had under consideration House Resolution No. 66, respectfully report as follows: That House Resolution No. 66 be adopted.

LOMBARDI, Chairman

Report adopted.

March 8, 1974

Mr. Speaker: We, your Committee on Finance and Claims, having had under consideration House Bill No. 746, respectfully report as follows: That House Bill No. 746 be amended as follows:

Amend the title on line 6, page 1 of the introduced bill, after the figures and punctuation "1975;" by omitting the word "and", and

Further amend the title on page 1, line 7 of the introduced bill, after the word "appropriations", by omitting the period and inserting the following new punctuation and material "; and providing an effective date.", and

Amend Section 13, page 5, line 17 of the introduced bill, following the number and punctuation "13." by inserting the figure "(1)", and

Further amend Section 13, page 5 of the introduced bill, following line 25 by inserting the following new material:

Board of Regents of Higher Education

Indian Education Program		
From General Fund	-0-	37,500
Indian Culture Master Plan		
From General Fund	-0-	24,000
Drug Education Program		
From General Fund	-0-	28,000
Student Assistance Program		
From General Fund		
For WAMI Administration	-0-	15,000
For WICHE Student Payments	-0-	65,000
For NDEA Matching Loan		
Funds	25,000	-0-

The Commissioner of Higher Education shall devise procedures to assess financial need of students applying for the benefits provided by WICHE, WAMI, and Rural Dentistry Program. These procedures shall be presented to the 44th Legislative Assembly in conjunction with the budget request for WICHE, WAMI and Rural Dentistry Program support funds.", and

Further amend Section 13, page 6, line 11 of the introduced bill, by omitting the figures "\$30,000" and "-0-" and inserting in lieu thereof the figures "-0-" and "30,000", and

Further amend Section 13, page 6, following line 16 of the introduced bill, by inserting the following new material:

University of Montana

Academic Support Program		
From the General Fund to be used only for the purposes described in subsection (2) of this section	-0-	61,000

Montana State University

Academic Support Program		
From the General Fund to be used only for the purposes described in subsection (2) of this section	-0-	55,000

Montana College of Mineral Science and Technology Academic Support Program From the General Fund to be used only for the purposes described in subsection (2) of this section	-0-	5,000
Western Montana College Academic Support Program From the General Fund to be used only for the purposes described in subsection (2) of this section	-0-	8,500
Eastern Montana College Academic Support Program From the General Fund to be used only for the purposes described in subsection (2) of this section	-0-	13,000
Northern Montana College Academic Support Program From the General Fund to be used only for the purposes described in subsection (2) of this section	-0-	11,000

(2) The appropriations made by subsection (1) of this section to the academic support programs of the units of the university system are to be used by the libraries of the various units only for the acquisition of printed, typewritten, handwritten, mimeographed or processed works which are bound or portfolioed, hard bound or paper bound and which can be classified, catalogued or otherwise prepared for library use, including bound periodical volumes and non-periodical government documents.", and

Amend on page 8, following line 3 of the introduced bill by inserting the following new section:

"Section 15. This act is effective upon passage and approval.", and

As amended, do pass.

BARDANOUE, Chairman

Report adopted.

March 8, 1974

Mr. Speaker: We, your Committee on Taxation, having had under consideration House Resolution No. 73, respectfully report as follows: That House Resolution No. 73 be adopted.

WATT, Chairman

Report adopted.

March 8, 1974

Mr. Speaker: We, your Committee on Taxation, having had under consideration Senate Bill No. 266, respectfully report as follows: That Senate Bill No. 266 be concurred in.

WATT, Chairman

Report adopted.

March 8, 1974

Mr. Speaker: We, your Committee on Taxation, having had under consideration Senate Bill No. 718, respectfully report as follows: That Senate Bill No. 718 be amended on the third reading bill as follows:

Be amended on page 1, title, line 9 after the word "enterprise" by inserting the punctuation and words "; and providing for an effective date", and

Be further amended on page 2, Section 1, beginning on line 13 by striking lines thirteen (13) through seventeen (17) in their entirety and inserting in lieu thereof the words and figures "The permit fee shall be at the rate of fifteen dollars (\$15.00) per day for each day beer is sold, or to be sold at those events lasting two (2) or more days, but in no event less than thirty dollars (\$30.00), hereby fixed as the minimum fee for such permit.", and

Be further amended on page 3, after line 10 by inserting the following section two (2): "Section 2. Effective date. This act is effective on its passage and approval.", and

As amended, be concurred in.

WATT, Chairman

Report adopted.

March 8, 1974

Mr. Speaker: We, your Committee on Taxation, having had under consideration House Resolution No. 45, respectfully report as follows: That House Resolution No. 45 be adopted.

WATT, Chairman

Report adopted.

March 8, 1974

Mr. Speaker: We, your Committee on Taxation, having had under consideration House Bill No. 460, respectfully report as follows: That House Bill No. 460 be amended on page 1 of the introduced bill, key line 4, by striking the figure "84-1302" and inserting in lieu thereof the figure "84-1309.1", and

Be further amended on page 1, title, line 6 after the word "to" by striking the words "create revenue from the levy of a severance tax on coal" and inserting in lieu thereof the words "increase the allocation from the coal license tax", and

Be further amended on page 1, title, line 8 after the word "government" by striking the punctuation and words ", the Department of Lands, the Environmental Quality Council, and the Department of Natural Resources, and for the Development of Parks and Recreation; repealing Section 84-1302, R.C.M. 1947;" and inserting in lieu thereof the punctuation and words "; amending Section 84-1309.1, R.C.M. 1947;", and

Be further amended on page 1, after the enacting clause on line 15 by striking sections one (1) through twelve (12) in their entirety, and inserting in lieu thereof the following new material:

"Section 1. Section 84-1309.1, R.C.M. 1947, is amended to read as follows:

'84-1309.1. Disposal of license taxes. License taxes collected under the provisions of this chapter are allocated as follows:

(1) To the county general fund from which coal was mined three cents (3¢) per ton.

(2) All other revenues from license taxes collected under the provisions of this chapter shall be deposited to the credit of the general fund of the state.'

Section 2. This act is effective on its passage and approval.", and

As amended, do pass.

WATT, Chairman

Report adopted.

March 8, 1974

Mr. Speaker: We, your Committee on Taxation, having had under consideration House Bill No. 221, respectfully report as follows: That House Bill No. 221 be

amended on page 1 of the introduced bill, Section 1, beginning on line 19 by omitting the words and figures "six hundred seventy-five dollars (\$675) in taxable year 1973 and seven hundred fifty dollars (\$750) thereafter" and inserting in lieu thereof the words and figures "six hundred fifty dollars (\$650) shall be allowed for taxable years beginning after December 31, 1973", and

Be further amended on page 1, Section 1, beginning on line 22 by omitting the words and figures "six hundred seventy-five dollars (\$675) in taxable year 1973 and seven hundred fifty dollars (\$750) thereafter" and inserting in lieu thereof the words and figures "six hundred fifty dollars (\$650) shall be allowed for taxable years beginning after December 31, 1973", and

Be further amended on page 2, Section 1, line 6 after the word "of" by omitting the words and figures "six hundred seventy-five dollars (\$675) in taxable year 1973 and seven hundred fifty dollars (\$750) thereafter" and inserting in lieu thereof the words and figures "six hundred fifty dollars (\$650) shall be allowed for taxable years beginning after December 31, 1973", and

Be further amended on page 2, Section 1, beginning on line 12 by omitting the words and figures "six hundred seventy-five dollars (\$675) in taxable year 1973 and seven hundred fifty dollars (\$750) thereafter" and inserting in lieu thereof the words and figures "six hundred fifty dollars (\$650) shall be allowed for taxable years beginning after December 31, 1973", and

Be further amended on page 2, Section 1, beginning on line 22, by omitting the words and figures "six hundred seventy-five dollars (\$675) in taxable year 1973 and seven hundred fifty dollars (\$750) thereafter" and inserting in lieu thereof the words and figures "six hundred fifty dollars (\$650) shall be allowed for taxable years beginning after December 31, 1973", and

Be further amended on page 3, Section 1, line 2 by omitting the words and figures "six hundred seventy-five dollars (\$675) in taxable year 1973 and seven hundred fifty dollars (\$750) thereafter" and inserting in lieu thereof the words and figures "six hundred fifty dollars (\$650) shall be allowed for taxable years beginning after December 31, 1973", and

Be further amended on page 3, Section 1, line 22 after the word "of" by omitting the words and figures "six hundred seventy-five dollars (\$675) in taxable year 1973 and seven hundred fifty dollars (\$750) thereafter" and inserting in lieu thereof the words and figures "six hundred fifty dollars (\$650) shall be allowed for taxable years beginning after December 31, 1973", and

Be further amended on page 4, Section 1, line 3 after the word "than" by omitting the words and figures "six hundred seventy-five dollars (\$675) in taxable year 1973 and seven hundred fifty dollars (\$750) thereafter" and inserting in lieu thereof the words and figures "six hundred fifty dollars (\$650) shall be allowed for taxable years beginning after December 31, 1973", and

As amended, do pass.

WATT, Chairman

Report adopted.

In accordance with the 24 hour rule, the adverse committee report on House Resolution No. 63 was adopted by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Baucus, Bennetts, Brand, Brown, Campbell, Castles, Clemow, Cotton, Driscoll, East, Edland, Ellerd, Fasbender, Glennen, Greely, Hageman, Haines, Halvorson, H. Harper, Healy, Hodges, Holtz, Hubing, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosen, Kvaalen, Laas, Lee, Lien, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Quilici, Schepens, Selstad, Staigmiller, Stephens, Swanberg, Tierney, Towe, Ulmer, Warfield, Watt, Mr. Speaker. Total 68.

Noes: Burnett, Colberg, Cox, R. Harper, Rolfe, Shelden. Total 6.

Excused: Galt, Hager, Hall, Prevost, Schye, Seifert, Turner, Zimmer. Total 8.

Absent or not voting: Barrett, Bell, Bradley, Fagg, Fleming, Flynn, Forsgren, Gunderson, Holmes, Huennekens, Lockrem, Regan, Roberts, Smith, Stoltz, Turman, Walborn, Yardley. Total 18.

In accordance with the 24 hour rule, the adverse committee report on House Resolution No. 65 was adopted by the following vote:

Ayes: Aageson, Asbjornson, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Campbell, Castles, Clemow, Driscoll, East, Edland, Ellerd, Fasbender, Flynn, Forsgren, Glennen, Greely, Gunderson, Hageman, Haines, Halvorson, H. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Jacobsen, Johnston, Kendall, Kessner, Kolstad, Kosen, Laas, Lee, Lien, Lombardi, Lucas, Lund, Lundgren, Lynch, Marbut, Marks, Mehrens, Menahan, Murphy, Quilici, Regan, Roberts, Schepens, Selstad, Staigmillier, Stephens, Stoltz, Ulmer, Watt, Mr. Speaker. Total 61.

Noes: Baeth, Brown, Burnett, Cotton, Cox, Fleming, R. Harper, Jones, Kvaalen, McKittrick, Mann, Manuel, Mercer, Norman, Rolfe, Shelden, Smith, Tierney, Towe, Turman, Walborn, Yardley. Total 22.

Excused: Galt, Hager, Hall, Prevost, Schye, Seifert, Turner, Zimmer. Total 8.

Absent or not voting: Ainsworth, Colberg, Fagg, Huennekens, Kimble, Lockrem, Olson, Swanberg, Warfield. Total 9.

In accordance with the 24 hour rule, the adverse committee report on House Resolution No. 68 was adopted by the following vote:

Ayes: Ainsworth, Asbjornson, Bardanouve, Barrett, Baucus, Bell, Bennetts, Brand, Brown, Burnett, Castles, Clemow, Cox, Driscoll, East, Edland, Ellerd, Fasbender, Fleming, Flynn, Forsgren, Glennen, Gunderson, Hageman, Haines, Halvorson, H. Harper, Healy, Hodges, Holtz, Hubing, Jacobsen, Johnston, Jones, Kessner, Kimble, Kolstad, Kosen, Kvaalen, Laas, Lee, Lien, Lombardi, Lucas, Lund, Lundgren, Lynch, Mann, Marbut, Marks, Mehrens, Menahan, Mercer, Norman, Quilici, Regan, Roberts, Rolfe, Schepens, Selstad, Staigmillier, Stephens, Stoltz, Tierney, Turman, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 70.

Noes: Aageson, Baeth, Campbell, Cotton, Greely, R. Harper, Holmes, McKittrick, Manuel, Murphy, Olson, Shelden, Smith, Towe, Walborn. Total 15.

Excused: Galt, Hager, Hall, Prevost, Schye, Seifert, Turner, Zimmer. Total 8.

Absent or not voting: Bradley, Colberg, Fagg, Huennekens, Kendall, Lockrem, Swanberg. Total 7.

REPORT OF SELECT COMMITTEES

March 8, 1974

Joint Conference Committee Report Senate Amendments to House Bill No. 694

Mr. President and Speaker of the House:

We, your Joint Conference Committee on Senate amendments to House Bill No. 694 beg leave to report as follows:

That we met this day and considered Senate Committee on State Administration amendments dated February 22, 1974, to House Bill No. 694, and Senate Committee of the Whole amendments to House Bill No. 694 dated March 2, 1974, and recommend as follows:

That the House accede to the Senate amendment following line 11, on page 1, and

That the House accede to the Senate amendment to Section 2, page 2, line 1, and

That the House accede to the Senate amendment to Section 2, page 2, line 13, and

That the Senate recede from the Senate amendment to Section 2, page 2, line 16, and

That the House accede to the Senate amendment to Section 3, page 3, following line 1, and

That the Senate recede from the Senate Committee on State Administration amendment dated February 22, 1974 to Section 4, page 3, line 4, and the Joint Conference Committee further recommends the bill be amended as follows:

Amend Section 4, page 3, line 4, following the word "duties" by inserting the new material "and as to those matters the committee is authorized to audit", and

That the House accede to the Senate amendment to Section 4, page 3, line 4, and

That the House accede to the Senate amendment to Section 4, page 3, line 5, and

That the Senate recede from the Senate amendment to Section 4, page 3, line 6, and

That the Senate recede from the Senate amendment to Section 4, page 3, line 7, and

That the Senate recede from both the Senate amendments to Section 4, page 3, line 9, and

That the House accede to the Senate amendment to Section 4, page 3, line 13, and

That the House accede to the Senate amendment to Section 4, page 3, line 17, and

That the Senate recede from the Senate amendment to Section 4, page 3, line 20, and

That the Senate recede from the Senate amendment to Section 6, Subsection (7), page 5, beginning on line 11, and

That the House accede to the Senate amendment to Section 6, Subsection (7), page 5, line 11, following the word "from" by inserting the following words "or on behalf of", and

That the House accede to the Senate amendment to Section 6, Subsection (7), page 5, line 17, and

That the House accede to the Senate amendment to Section 7, page 5, line 23, and

That the House accede to the Senate amendment to Section 8, page 6, lines 15 through 16, and

That House Bill 694 as amended be concurred in,

FOR THE SENATE:

THIESSEN

GRAHAM

MATHERS

FOR THE HOUSE:

McKITTRICK

MARBUT

SCHEPENS

MESSAGES FROM THE OTHER HOUSE

March 8, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Amendments to Senate Bills were this day concurred in by the Senate:

House Amendments to Senate Bill No. 434

House Amendments to Senate Bill No. 573

House Amendments to Senate Bill No. 650

House Amendments to Senate Bill No. 712

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

March 8, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read third time and concurred in as amended, titles and history agreed to, and the said bills are herewith transmitted to the House for concurrence in Senate amendments:

House Bill No. 634 introduced by Halvorson and Roberts

House Bill No. 649 introduced by Fasbender

House Bill No. 665 introduced by Bardanouve

House Bill No. 682 introduced by Greely

House Bill No. 749 introduced by R. Harper and Gunderson

House Bill No. 798 introduced by Hall and McKittrick

House Bill No. 933 introduced by Bell and Greely

House Bill No. 949 introduced by Roberts, Driscoll, et al

House Bill No. 955 introduced by Norman and Roberts

House Bill No. 999 introduced by Marbut, Olson, et al

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

March 8, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read third time and concurred in, titles and history agreed to, and the said bills are herewith returned to the House:

House Bill No. 628 introduced by Bradley, Fasbender, et al

House Bill No. 672 introduced by R. Harper, Driscoll and Towe

House Bill No. 692 introduced by Gerke

House Bill No. 765 introduced by Schepens, Kosena and Galt

House Bill No. 805 introduced by Kosena,

House Bill No. 864 introduced by Menahan, Lynch, et al

House Bill No. 866 introduced by Yardley

House Bill No. 886 introduced by Edland, Jacobsen, et al

House Bill No. 895 introduced by Holtz, Kolstad, et al

House Bill No. 889 introduced by Swanberg

House Bill No. 910 introduced by Haines and Kosena

House Bill No. 924 introduced by Halvorson, Brand, et al

House Bill No. 932 introduced by Bell, Greely, et al

House Bill No. 967 introduced by Murphy and Kolstad

House Bill No. 980 introduced by Regan (by request)

House Bill No. 1003 introduced by Holmes, Turman, et al

House Bill No. 1005 introduced by Holmes, Kosena, et al

House Bill No. 1009 introduced by Bardanouve and Driscoll

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

March 8, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day acceded to the request of the House and authorized the President to appoint a Conference Committee to meet with a like committee from the House to confer on Senate Amendments to House Bill No. 755.

The President appointed the following members:

Senator McDonald, Chairman
Senator McGowan
Senator Darrow

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

MOTIONS

Fasbender moved that the Speaker be authorized to appoint a Conference Committee to meet with a like committee from the Senate on Senate Amendments to House Bill No. 556.

Motion carried.

Fasbender moved that the Speaker be authorized to appoint a Conference Committee to meet with a like committee from the Senate on Senate Amendments to House Bill No. 670.

Motion carried.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following bill was introduced, read first time and referred to committee:

House Bill No. 1128, introduced by Kosena, Haines, Prevost, Manuel, Fleming, Turman, Asbjornson, Glennen, Marks, Jacobsen, Lund, Lynch, East, Laas, Regan, Bardanouve: A bill for an act entitled: "An act appropriating one hundred nine thousand six hundred forty dollars (\$109,640) from the general fund to the office of the Legislative Auditor for the biennium ending June 30, 1975 for the creation and staffing of a legislative fiscal analysis program within the Office of the Legislative Auditor." Referred to Committee on Finance and Claims.

UNFINISHED BUSINESS

The Speaker appointed the following Conference Committee to meet with a like committee from the Senate on Senate Amendments to House Bill No. 556: Baeth, Chairman; Kendall and Fagg.

The Speaker appointed the following Conference Committee to meet with a like

committee from the Senate on Senate Amendments to House Bill No. 670: Quilici, Chairman; Bradley and Cox.

Fasbender moved that the House adjourn until 1:30 p.m., March 9, 1974.

Motion carried.

House adjourned.

HAROLD E. GERKE, Speaker

EDWIN A. SMITH, Chief Clerk

FIFTY-FOURTH LEGISLATIVE DAY

Helena, Montana
March 9, 1974

House Chambers
Capitol Building

House convened at 1:30 p.m., Mr. Speaker in the Chair.

Invocation by Representative Holmes.

Pledge of Allegiance to the Flag.

Roll call. All members present except Baucus, Burnett, Hager, Hall, H. Harper, Jacobsen, Lien, Prevost, Seifert, Turner and Zimmer.

Quorum present.

Mr. Speaker: We, your Committee on Bills and Journal, having examined the daily journal for the Fifty-third Legislative Day, find the same to be correct.

QUILICI, Chairman

REPORTS OF STANDING COMMITTEES

March 9, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following resolutions correctly printed: House Resolution No. 45, House Resolution No. 66, House Resolution No. 73, House Resolution No. 77.

QUILICI, Chairman

March 8, 1974

reported March 9, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following resolutions correctly printed: House Resolution No. 78, House Resolution No. 79.

QUILICI, Chairman

March 9, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills and resolution correctly enrolled: House Resolution No. 67, House Bill No. 741, House Bill No. 794.

QUILICI, Chairman

March 9, 1974

The following bills and resolutions were signed in the office of the Speaker of the House of Representatives on March 8, 1974: House Bill No. 576, House Bill No. 607, House Bill No. 671, House Bill No. 806, House Bill No. 843, House Bill No. 848, House Bill No. 907, House Bill No. 920, House Bill No. 1026, House Bill No. 1069, House Bill No. 1082, House Resolution No. 55, House Joint Resolution No. 80, House Resolution No. 60, Senate Bill No. 240, Senate Bill No. 479, Senate Bill No. 489, Senate Bill No. 530, Senate Bill No. 574, Senate Bill No. 577, Senate Bill No. 604, Senate Bill No. 648, Senate Bill No. 669, Senate Bill No. 676, Senate Bill No. 732, Senate Joint Resolution No. 44, Senate Joint Resolution No. 59.

EDWIN A. SMITH, Chief Clerk
House of Representatives

March 9, 1974

Mr. Speaker: We, your Committee on Finance and Claims, having had under consideration House Bill No. 937, respectfully report as follows: That House Bill No. 937 do not pass.

BARDANOUE, Chairman

March 9, 1974

Mr. Speaker: We, your Committee on Finance and Claims, having had under consideration House Bill No. 1030, respectfully report as follows: That House Bill No. 1030 do not pass.

BARDANOUE, Chairman

March 9, 1974

Mr. Speaker: We, your Committee on Finance and Claims, having had under consideration House Bill No. 1103, respectfully report as follows: That House Bill No. 1103 do not pass.

BARDANOUE, Chairman

March 9, 1974

Mr. Speaker: We, your Committee on Finance and Claims, having had under consideration House Bill No. 1106, respectfully report as follows: That House Bill No. 1106 do not pass.

BARDANOUE, Chairman

March 9, 1974

Mr. Speaker: We, your Committee on Finance and Claims, having had under consideration Senate Bill No. 733, respectfully report as follows: That Senate Bill No. 733 be concurred in.

BARDANOUE, Chairman

Report adopted.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 1104 was adopted by the following vote:

Ayes: Asbjornson, Baeth, Bardanoue, Barrett, Brown, Clemow, Cotton, Cox, East, Edland, Ellerd, Fagg, Fleming, Flynn, Galt, Glennen, Gunderson, Hageman, Haines, Halvorson, Healy, Hodges, Holtz, Huennekens, Johnston, Jones, Kendall, Kessner, Kolstad, Kosena, Kvaalen, Laas, Lee, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Norman, Olson, Quilici, Regan, Rolfe, Schepens, Schye, Selstad, Smith, Staigmiller, Stephens, Tierney, Towe, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 64.

Noes: Aageson, Bell, Bradley, Brand, Campbell, Castles, Forsgren, Lockrem, Murphy, Ulmer. Total 10.

Excused: Baucus, Burnett, Hager, Hall, H. Harper, Jacobsen, Lien, Prevost, Seifert, Shelden, Turner, Zimmer. Total 12.

Absent or not voting: Ainsworth, Bennetts, Colberg, Driscoll, Fasbender, Greely, R. Harper, Holmes, Hubing, Kimble, Roberts, Stoltz, Swanberg, Turman. Total 14.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 1112 was adopted by the following vote:

Ayes: Asbjornson, Baeth, Bardanoue, Barrett, Brand, Brown, Campbell, Castles, Clemow, Cotton, Edland, Ellerd, Fagg, Fleming, Flynn, Galt, Glennen, Greely, Gunderson, Hageman, Haines, Halvorson, R. Harper, Healy, Holmes, Holtz, Hubing, Huennekens, Johnston, Jones, Kendall, Kessner, Kosena, Kvaalen, Laas,

Lee, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marks, Mehrens, Menahan, Norman, Olson, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Selstad, Smith, Staigmiller, Stephens, Swanberg, Tierney, Towe, Ulmer, Walborn, Watt, Mr. Speaker. Total 66.

Noes: Aageson, Bell, Bradley, Cox, Forsgren, Hodges, Kolstad, Lockrem, Marbut, Mercer, Murphy, Warfield, Yardley. Total 13.

Excused: Baucus, Burnett, Hager, Hall, H. Harper, Jacobsen, Lien, Prevost, Seifert, Shelden, Turner, Zimmer. Total 12.

Absent or not voting: Ainsworth, Bennetts, Colberg, Driscoll, East, Fasbender, Kimble, Stoltz, Turman. Total 9.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 1120 was adopted by the following vote:

Ayes: Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Brand, Campbell, Castles, Clemow, Cotton, Cox, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Galt, Glennen, Greely, Gunderson, Hageman, Haines, Halvorson, R. Harper, Healy, Hodges, Holtz, Huennekens, Johnston, Jones, Kendall, Kessner, Kosena, Laas, Lee, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Norman, Olson, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Selstad, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Walborn, Warfield, Watt, Mr. Speaker. Total 69.

Noes: Aageson, Bell, Bradley, Brown, Forsgren, Kolstad, Kvaalen, Lockrem, Mann, Mercer, Ulmer, Yardley. Total 12.

Excused: Baucus, Burnett, Hager, Hall, H. Harper, Jacobsen, Lien, Prevost, Seifert, Shelden, Turner, Zimmer. Total 12.

Absent or not voting: Bennetts, Colberg, Driscoll, Holmes, Hubing, Kimble, Turman. Total 7.

REPORT OF SELECT COMMITTEE

March 9, 1974

Joint Conference Committee Report Senate Amendments to House Bill No. 888

Mr. President and Speaker of the House:

We, your Joint Conference Committee on Senate Amendments to House Bill No. 888, beg leave to report as follows:

That we met this day and considered Senate Committee of the Whole Amendments dated February 28, 1974, to House Bill No. 888 and recommend as follows:

That the Senate recede from its amendments on House Bill No. 888, and the Joint Conference Committee further recommends the bill be amended as follows:

Amend Section 1, page 1, lines 18 and 19, by deleting the following words and figures "four hundred thousand dollars (\$400,000)" and inserting in lieu thereof the following words and figures "three hundred thousand dollars (\$300,000)".

And that House Bill No. 888 as so amended, be concurred in.

FOR THE SENATE:

McOMBER

JAMES

LOWE

FOR THE HOUSE:

LUND

MANUEL

MESSAGES FROM THE OTHER HOUSE

March 8, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day on motion, duly carried, dissolved the Free Conference Committee on House Bill No. 822, and the President was authorized to appoint a new Free Conference Committee.

The President appointed the following members:

Senator McDonald, Chairman
Senator Hall
Senator Lowe.

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

March 8, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Joint Resolution was this day read three several times, and passed, title and history agreed to, and the resolution is transmitted to the House for concurrence:

Senate Joint Resolution No. 69, introduced by the Committee on Judiciary

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

March 8, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that on motion this day, the Senate failed to suspend Joint Rule 6-8 to allow consideration of House Bill No. 371, and the bill is herewith returned to the House.

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

March 8, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills and House Joint Resolutions were this day read third time, and concurred in, titles and history agreed to, and the said bills and resolutions are herewith returned to the House:

House Bill No. 698 introduced by Bardonou

House Bill No. 1,013 introduced by Lynch, Quilici, et al

House Bill No. 1,039 introduced by Baucus, Turman, et al

House Bill No. 1,056 introduced by Lucas, Tierney, et al

House Bill No. 1,066 introduced by Norman, Turman, et al

House Bill No. 1,068 introduced by Edland, Olson and Lee

House Bill No. 1117 introduced by Fleming, Murphy, et al

House Joint Resolution No. 66 introduced by Huennekens, Towe and Marbut

House Joint Resolution No. 77 introduced by Kosena, Bardonou and Driscoll

House Joint Resolution No. 81 introduced by Committee on Rules

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

March 8, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Amendments to Senate Bills were this day concurred in on third reading by the Senate:

House Amendments to Senate Bill No. 461

House Amendments to Senate Bill No. 473

House Amendments to Senate Bill No. 503

House Amendments to Senate Bill No. 623

House Amendments to Senate Bill No. 670

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

March 8, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read third time, and concurred in as amended, titles and history agreed to, and the said bills are herewith returned to the House for concurrence in Senate amendments:

House Bill No. 360 introduced by Marbut, Holmes, et al.

House Bill No. 867 introduced by McKittrick, Lynch, et al.

House Bill No. 918 introduced by Lynch, Quilley, et al.

House Bill No. 971 introduced by Roberts and Tierney

House Bill No. 1.010 introduced by Bardanoue, Fagg, et al.

House Bill No. 1.016 introduced by Shelden.

House Bill No. 1.017 introduced by Shelden, Huennekens, et al.

House Bill No. 1.032 introduced by McKittrick, Regan, and Marbut

House Bill No. 1.048 introduced by Hall

House Bill No. 1.050 introduced by Hall

House Bill No. 1.052 introduced by Warfield, Barrett, et al.

House Bill No. 1.053 introduced by Fagg, Zimmer, et al.

House Bill No. 1.089 introduced by McKittrick, Turman, and Kosena

House Bill No. 1.101 introduced by Schepens and Brown

House Bill No. 1.119 introduced by Ulmer and Lucas

Respectfully yours

JOHN N. HANSON
Secretary of the Senate

March 8, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day on Committee of the Whole, indefinitely postponed as amended, reports adopted, and the said bills are returned to the House:

House Bill No. 871 introduced by Turman, Kendall and Shelden

House Bill No. 990 introduced by McKittrick, Barrett, et al

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

March 8, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was this day on Committee of the Whole, indefinitely postponed, report adopted, and the said bill is herewith returned to the House:

House Bill No. 632 introduced by Lockrem, Mercer, et al

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

March 8, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bill was this day read three several times, and passed, title and history agreed to, and the said bill is herewith transmitted to the House for concurrence:

Senate Bill No. 608 introduced by Goodheart, Bollinger, et al

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

March 8, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was this day on third reading, not concurred in as amended, and the said bill is returned to the House:

House Bill No. 969 introduced by Fagg, H. Harper, et al

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

March 8, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was this day on third reading, not concurred in, and the said bill is herewith returned to the House:

House Bill No. 790 introduced by the State Administration Committee

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

March 8, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Joint Resolution was this day read third time, and concurred in as amended, title and history agreed to, and the said resolution is herewith returned to the House for concurrence in Senate amendments:

House Joint Resolution No. 73 introduced by Brown, Swanberg, et al

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

March 8, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Free Conference Committee Report on House Bill No. 233 was this day adopted on third reading, roll call vote, and the committee has been discharged.

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

March 8, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate acceded to the request of the House, and authorized the President to appoint a Conference Committee to meet with a like committee from the House to confer on Senate amendments to House Bill No. 556.

The President appointed the following members:

Senator Thiessen, Chairman
Senator Turnage
Senator Goodheart

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

March 8, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate acceded to the request of the House, and authorized the President to appoint a Conference Committee to meet with a like committee from the House to confer on Senate amendments to House Bill No. 670.

The President appointed the following members:

Senator James, Chairman
Senator Bennett
Senator Sorensen

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

MOTIONS

Ulmer moved that Senate Bill No. 264 be taken from the Committee on Taxation and placed on Second Reading. A roll call vote was requested by Ulmer with the Ayes and Nays spread on the Journal. Sufficient seconds arose and the motion failed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Barrett, Bell, Brown, Campbell, Castles, Clemow, Cox, East, Ellerd, Fagg, Forsgren, Galt, Glennen, Haines, Holtz, Hubing, Jones, Kessner, Kolstad, Kvaalen, Lockrem, Lombardi, Lucas, Lund, Lundgren, Mann, Marbut, Marks, Mercer, Olson, Rolfe, Schye, Selstad, Smith, Tierney, Ulmer, Walborn, Warfield. Total 41.

Noes: Baeth, Bardanouve, Baucus, Bennetts, Bradley, Brand, Colberg, Cotton, Fasbender, Fleming, Flynn, Greely, Gunderson, Halvorson, R. Harper, Healy, Hodges, Holmes, Huennekens, Jacobsen, Johnston, Kendall, Kimble, Kosena, Lien, Lynch, McKittrick, Manuel, Mehrens, Menahan, Murphy, Norman, Prevost, Quilici, Regan, Roberts, Schepens, Shelden, Staigmilller, Stephens, Stoltz, Swanberg, Towe, Watt, Yardley, Mr. Speaker. Total 46.

Paired: Cox, East, Glennen, Hubing, Marks, Aye; Buacus, Jacobsen, Lien, Prevost, Shelden, Nay.

Excused: Burnett, Hager, Hall, H. Harper, Seifert, Turner, Zimmer. Total 7.

Absent or not voting: Driscoll, Edland, Hageman, Laas, Lee, Turman. Total 6.

Baeth moved that the Conference Committee on Senate Amendments to House Bill No. 556 be dissolved and a new committee be appointed.

Motion carried.

Kosena moved that the Conference Committee on Senate Amendments to House Bill No. 774 be dissolved and a new committee be appointed.

Motion carried.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following bill was introduced, read first time and referred to committee:

Senate Bill No. 608, introduced by Goodheart, Bollinger, Drake, Bennett, Keenan: A bill for an act entitled: "An act to authorize and direct the Montana Department of Revenue in computing the retail selling price of liquor to designate and establish a lesser retail selling price on all liquor manufactured, distilled, rectified, bottled or processed in Montana than is designated and established for liquor imported from without the state; and providing an effective date." Referred to Committee on Finance and Claims.

SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)

Fasbender moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading under the rules of the previous sitting.

Motion carried.

Mann in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

March 9, 1974

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That House Resolution No. 62 be adopted. (76-0)

That House Resolution No. 69 be adopted. (78-1)

That House Resolution No. 71 be adopted. (74-1)

That House Resolution No. 78 be adopted. (65-11)

That House Resolution No. 79 be adopted. (73-0)

That Senate Bill No. 266 be concurred in. (80-2)

That Senate Bill No. 718 be concurred in. (42-40)

That Senate Joint Resolution No. 45 be not concurred in. (53-35)

That the committee rise and report and beg leave to sit again.

MANN, Chairman

Report adopted.

House recessed for an hour.

House resumed at 4:30 p.m.

Mr. Speaker in the Chair.

COMMUNICATIONS AND PETITIONS

The Speaker appointed the following new Conference Committee to meet with a like committee from the Senate on Senate Amendments to House Bill No. 556: Swanberg, Chairman; Mehrens and Fagg.

The Speaker appointed the following new Conference Committee to meet with a like committee from the Senate on Senate Amendments to House Bill No. 774: Kosena, Chairman; Lombardi and Cox.

REPORTS OF STANDING COMMITTEES

March 9, 1974

Mr. Speaker: We, your Committee on Finance and Claims, having had under consideration House Bill No. 566, respectfully report as follows: That House Bill No. 566 be amended as follows:

Amend starting on line 4, after the word and punctuation "entitled:" of the title on page 1 of the introduced bill, by striking all the material in the title and inserting in lieu thereof the following new material: "An Act to appropriate moneys to the Department of Labor and Industry for the biennium ending June 30, 1975; and providing for other matters relating to the appropriation."

Further amend by striking all of the material after the enacting clause and inserting in lieu thereof the following new material and proper appropriation account format:

"Section 1. For the purposes of this act, unless otherwise stated:

(1) 'Agency' includes all state offices, departments, divisions, boards, commissions, councils, committees, institutions, university units, and other entities or instrumentalities of state government.

(2) 'Program' means a segment that includes a combination of planned efforts to provide a service.

(3) 'Approved budget amendment' means approval by the governor, or his designated representative, of a request submitted through the budget bureau to:

(a) obtain financing for a new or expanded program from funds which were not available for consideration by the legislative assembly but which have become available from a source other than state's general fund; or

(b) transfer appropriations, including general fund appropriations, between programs within a state agency; or

(c) expend remaining balances of the first fiscal year appropriations, including general fund appropriations, during the second fiscal year of the biennium.

Section 2. The appropriations contained in this act are intended to provide only necessary and ordinary expenditures for the year for which the appropriations are made. Except for amounts subject to accrual at the end of each fiscal year, the unexpended balance of any appropriation shall revert to the fund from which it was appropriated. In case of necessity, an appropriation not expended during the first fiscal year of the biennium may be expended during the second fiscal year by approved budget amendment.

Section 3. The appropriations in this act are intended to provide for all expenditures for:

- (1) personal services;
- (2) all other ordinary and necessary expenditures for the operation of the agency and the program to which the appropriation applies;
- (3) repairs and maintenance, other than major alterations of existing buildings; and
- (4) the purchase or replacement of capital items other than expenditures for the construction, improvement, or furnishing of buildings or purchase of buildings or land unless specifically authorized.

Section 4. Financing for new or expanded programs from sources other than general fund may be made available by approved budget amendment.

Section 5. Each agency shall submit to the budget bureau, on or before July 1 of each fiscal year, an operational plan within the limits of appropriations which includes the position and salary of all officers and employees. The salary of the chief administrator of each agency shall be determined by the appointing authority. Informational copies of operational plan changes shall be submitted to the budget bureau for review.

Section 6. No new program may be established and no existing program may be expanded beyond the scope of the programs approved by the legislative assembly in the 1975 biennial budget, unless the new program or the program expansion and its method of financing is approved by the governor, or his designated representative after presentation through the budget bureau.

Section 7. Transfers of appropriated funds between programs of an agency may be made only by an approved budget amendment.

Section 8. If the operation of a state agency is financed by an appropriation or appropriations from the general fund as well as by appropriation from other sources, the funds provided by appropriation from the general fund shall be decreased by the amount that the funds received from other sources exceeds the amount from other sources appropriated by the legislature in the 1975 biennial budget, provided that:

- (1) the decrease does not jeopardize the receipt of the funds to be received from other sources; and
- (2) this section shall not apply to any excess funds if they are to be expended for a new or expanded program approved by the governor, or his designated representative upon a request submitted to him through the budget bureau.

Section 9. When an agency receives federal funds as a reimbursement for the cost of administering a federal program and this cost was financed by a general fund appropriation, the federal funds shall be deposited into the general fund unless usage of the federal funds is restricted by federal provisions.

Section 10. The governor may reduce any appropriation by not more than fifteen percent (15%) except appropriations for:

- (1) payment of interest and retirement of the state debt;
- (2) operation of the legislature;

- (3) public schools;
- (4) the judiciary; or
- (5) salaries of public officers, during their term of office.

Section 11. If any section, subsection, sentence, clause, or phrase of this act is for any reason held unconstitutional, such decision shall not affect the validity of the remaining portions of this act.

Section 12. The following moneys are appropriated for the biennium ending June 30, 1975:

	Fiscal Year Ending 6/30/74	Fiscal Year Ending 6/30/75
Department of Labor and Industry		
Labor Administration Program		
From General Fund	-0-	\$28,800

The purpose of this appropriation is to implement functions relative to the employment and related needs of women, in the work force. It provides for two (2) full time equivalents, related support expenses and reimbursement for travel costs and per diem for members of an advisory council.", and

As amended, do pass.

BARDANOUVE, Chairman

Report adopted.

March 9, 1974

Mr. Speaker: We, your Committee on Finance and Claims, having had under consideration House Bill No. 747, respectfully report as follows: That House Bill No. 747 be amended as follows:

Amend the title on line 6, page 1 of the introduced bill, after the figures and punctuation "1975;" by omitting the word "and", and

Further amend the title on page 1, line 7 of the introduced bill, after the word "appropriations", by omitting the period and inserting the following new punctuation and material: "; and providing an effective date.", and

Further amend on page 5, Section 12, line 14 by striking the figures: "117,500" and the figures: "125,000", and

Further amend on page 5, Section 12, following line 14 by inserting the following new material:

For data processing	117,500	125,000
For one additional senior accountant	4,875	15,356
General Services Program		
From General Fund	5,300	26,700

This appropriation is intended to rent space for these agencies or space for agencies these agencies displace:

Environmental Quality Council, Consumer Counsel, Purchasing Bureau.

Purchasing Bureau

 From General Fund -0- 15,000

This appropriation is intended to fund 1.5 full time equivalents to implement the Small Business Purchasing Act (SB 504).";

Further amend page 5, Section 12, following line 16 by inserting the following new material:

"From Earmarked Revenue Fund	900,000	-0-
From Federal & Private Revenue Fund	700,000	-0-
From Bond Proceeds & Insurance Clearance Fund	1,000	-0-
From Revolving Fund	85,000	-0-", and

Further amend on page 5, Section 12, line 22 by striking the following material: "Salary adjustments made by departments should not only reflect a percentage increase but be used as a tool for equalization of pay rates." and inserting in lieu thereof the following new material:

"All state employees earning less than \$10,000 per annum shall receive a minimum of five percent (5%) increase first and then the balance, as apportioned to each agency by the budget bureau, may be used by the appointing authority for general staff raises or pay equalization at all salary levels. The budget bureau shall apportion no more than two and one-half percent (2.5%) of an agency's operating payroll as of December 1, 1973, to that agency. This salary adjustment shall apply only for employees of record as of the date of passage and approval of this act.", and

Further amend on page 6, Section 12, line 8 by striking the following material: "This appropriation is intended to fund only those salary increments which can be identified by the budget bureau as general fund costs. Spending authorization for other than the general fund share may be made available by budget amendment." and inserting in lieu thereof the following new material: "This appropriation is not intended to interfere with written salary increment plans in existence by contract or other employee-employer agreement that may be in effect at the time of passage and approval.", and

Further amend on page 6, Section 12, following line 12, by inserting the following new material:

"From the General Fund	-0-	187,000
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To fund provisions of SB 703 should it be enacted into law, dealing with salaries of elected officials."

Further amend on page 6, line 14 by striking the figures "188,662" and inserting in lieu thereof the figures "150,000", and

Be further amended on page 6, line 14 by striking the figures "269,221" and inserting in lieu thereof the figures "250,000", and

Further amend on page 6, Section 12, line 14 by inserting the following new material to follow line 14: "This appropriation authorizes approximately 24 total full time equivalents in FY 74, and 30 FTE's in FY 75.", and

Be further amended on page 6, Section 12, line 19 by striking the following figures: "30,722" and inserting in lieu thereof the figures: "32,680", and

Be further amended on page 6, Section 12, following line 19 by inserting the following new material: "This appropriation will replace funds transferred from the FY 75 Civil Defense appropriation to implement the Fuel Allocation Program in FY 74.

Fuel Allocation Program		
From General Fund	2,768	86,186

This appropriation intends to fund an energy conservation coordinator and continue seven (7) other full time equivalents through FY 75.", and

Be further amended on page 6, Section 12, following line 22 by inserting the following new material: "This appropriation intends to fund SB 678 which eliminates county participation in federal medical assistance programs and lowers the maximum poor fund levy.

From General Fund	-0-	50,000
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This appropriation provides the means to increase medical assistance reimbursements to nursing facilities.

From General Fund	-0-	50,000
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This appropriation provides the means to increase by approximately two percent (2%) grants to recipients of aid to families with dependent children.

Department of Justice

Patrol Operations Program

From General Fund	31,591	63,184
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From Earmarked Revenue Fund

Highway Account	10,531	21,061
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This appropriation intends to fund higher petroleum costs for vehicle operations.

Section 13. This act is effective upon passage and approval.", and

As amended, do pass.

BARDANOUE, Chairman

Report adopted.

March 9, 1974

Mr. Speaker: We, your Committee on Finance and Claims, having had under consideration House Bill No. 627, respectfully report as follows: That House Bill No. 627 be amended as follows:

Amend in Section 1, page 1, line 21 and 22 of the introduced bill, by omitting the words and figures "seventy-six thousand four hundred dollars (\$76,400)" and inserting in lieu thereof "ninety-one thousand five hundred dollars (\$91,500) from the general fund"; and

Further amend Section 1, page 1 by omitting lines 23, 24 and 25.

Further amend Section 1, page 2, by omitting line 1 through line 6, and insert in lieu thereof the following:

"(2) for the construction of a multi-purpose structure and related recreation facilities in connection with the south sandstone project the amount of one hundred twenty-five thousand (\$125,000) from the Fish and Game earmarked revenue fund.", and

As amended, do pass.

BARDANOUE, Chairman

Report adopted.

March 9, 1974

Mr. Speaker: We, your Committee on Finance and Claims, having had under consideration House Bill No. 748, respectfully report as follows: That House Bill No. 748 be amended as follows:

Amend in the title on line 6, page 1, of the introduced bill, after the figures and punctuation "1975" by omitting the word "and", and

Further amend the title on page 1, line 7, of the introduced bill, after the word "appropriations", by omitting the period and inserting the following new punctuation and material "; and providing an effective date.", and

Amend Section 12, page 5, following line 15 of the introduced bill, by inserting the following new material:

"This general fund appropriation may be expended only to match federal revenue funds authorized by the U. S. Department of Health, Education and Welfare under Title XII of the Public Health Service Act."

Further amend Section 12, page 5, line 25 of the introduced bill, by omitting the figures "31,198" and "75,740" and inserting in lieu thereof the figures "55,000" and "105,000", and

Further amend Section 12, page 6, line 5 of the introduced bill, by omitting the figures "1,034,721" and "4,822,021" and inserting in lieu thereof the figures "1,184,721" and "4,472,021", and

Further amend Section 12, page 6, line 7 of the introduced bill, by omitting the figures "7,000,000" in the second column and inserting in lieu thereof the figure "7,200,000", and

Further amend Section 12, page 6, following line 7 of the introduced bill, by inserting the following new material:

Income-Inheritance Tax Program		
From General Fund		
For Operations	-0-	52,170
For Judges Travel	-0-	2,000
Audit and Accounting Program		
From General Fund	-0-	30,000
Legal and Investigation Program		
From General Fund	-0-	56,872

Further amend Section 12, page 6, line 13 of the introduced bill, by omitting the figures in the second column "99,428" and inserting in lieu thereof the figures "249,428", and

Further amend Section 12, page 6, following line 13 of the introduced bill, by inserting the following new material:

"Department of Fish and Game		
Parks and Recreation Program		
From Federal & Private Revenue Fund		
Recreation Account		
For Land Acquisition	500,000	-0-
From Earmarked Revenue Fund		
Fish and Game Account		
For Land Acquisition - Fishing and Recreational Access	500,000	-0-", and

Amend on page 6, by inserting the following new section:

"Section 13. This act is effective upon passage and approval.", and

As amended, do pass.

BARDANOUE, Chairman

Report adopted.

March 9, 1974

Mr. Speaker: We, your Committee on Finance and Claims, having had under consideration House Bill No. 1121, respectfully report as follows: That House Bill No. 1121 be amended as follows:

Amend in the title of the introduced bill, in lines 4, 5 and 6 by omitting the following words and figures "six hundred sixty-nine thousand seven hundred fifty dollars (\$669,750)" and inserting in lieu thereof "two hundred twenty-nine thousand six hundred dollars (\$229,600)", and

Amend in Section 1, lines 12 and 13, by omitting the following words and figures "six hundred sixty-nine thousand seven hundred fifty dollars (\$669,750)" and inserting in lieu thereof "two hundred twenty-nine thousand six hundred dollars (\$229,600)", and

Further amend in Section 1, page 1, line 25 of the second column by omitting the figure "1,500" and inserting in lieu thereof "500", and

Further amend in Section 1, page 1, line 26 of the second column by omitting the figure "3,000" and inserting in lieu thereof "1,000", and

Further amend Section 1, page 2, line 1 of the second column by omitting the figure "6,000" and inserting in lieu thereof "2,000", and

Further amend Section 1, page 2, line 2 of the second column by omitting the figure "12,000" and inserting in lieu thereof "4,000", and

Further amend Section 1, page 2, line 3 of the second column by omitting the figure "15,000" and inserting in lieu thereof "5,000", and

Further amend Section 1, page 2, line 6 of the second column by omitting the figure "250" and inserting in lieu thereof "100", and

Further amend Section 1, page 2, line 7 of the second column by omitting the figure "500" and inserting in lieu thereof "200", and

Further amend Section 1, page 2, line 8 of the second column by omitting the figure "1,000" and inserting in lieu thereof "400", and

Further amend Section 1, page 2, line 9 of the second column by omitting the figure "3,000" and inserting in lieu thereof "1,000", and

Further amend Section 1, page 2, line 10 of the second column by omitting the figure "5,000" and inserting in lieu thereof "2,000", and

Further amend Section 1, page 2, line 11 of the second column by omitting the figure "9,000" and inserting in lieu thereof "3,000", and

Further amend Section 1, page 2, line 12 of the second column by omitting the figure "15,000" and inserting in lieu thereof "5,000", and

Amend on page 2, by inserting the following new section:

"Section 2. This act is effective upon passage and approval.", and

As amended, do pass.

BARDANOUE, Chairman

Report adopted.

March 9, 1974

Mr. Speaker: We, your Committee on Finance and Claims, having had under consideration House Bill No. 1128, respectfully report as follows: That House Bill No. 1128 do pass.

BARDANOUE, Chairman

Report adopted.

REPORTS OF SELECT COMMITTEES

Joint Conference Committee Report House Bill No. 670

Mr. President and Speaker of the House:

We, your Joint Conference Committee met March 9 and considered Senate Committee on State Administration Amendments dated March 2, 1974, and recommend as follows:

That the House accedes to the Senate Committee on State Administration Amendments dated March 2, 1974; and

Further that the Joint Conference Committee recommends that House Bill No. 670 be amended as follows:

And further amend page 2, Section 1, following line 3 by striking Subsection (8) and by inserting the following new Subsection (8) as follows:

"(8) Confidential employees of the elected officials enumerated in Article VI, Section 1, of the constitution of Montana are exempt from Sections 59-909 and 59-911 of this act, and Section 82A-1014."

FOR THE HOUSE:

QUILICI

BRADLEY

COX

FOR THE SENATE:

JAMES

SORENSEN

BENNETT

March 9, 1974

Joint Conference Committee Report
Senate Amendments to House Bill No. 879

Mr. President and Speaker of the House:

We, your Joint Conference Committee on Senate Amendments to House Bill No. 879, beg leave to report as follows:

That we met this day and considered Senate Committee on Judiciary Amendments dated February 25, 1974 and Senate Committee of the Whole amendments dated February 28, 1974 to House Bill No. 879. This Joint Conference Committee recommends as follows:

That the House accede to Senate Committee on Judiciary Amendments dated February 25, 1974,

That the Senate recede from its Committee of the Whole amendments dated February 28, 1974,

And that the Joint Conference Committee recommends the bill be further amended as follows:

Amend Section 1, page 2, line 9 after the word "homicide" by inserting the following language and punctuation: "under subsection (1) (a) of Section 94-5-102";

And that House Bill No. 879 as so amended, be concurred in.

FOR THE SENATE:

FLYNN

SORENSEN

HARRISON

FOR THE HOUSE:

KENDALL

LYNCH

MARKS

Joint Conference Committee Report
House Bill No. 1073

Mr. President and Speaker of the House:

We, your Joint Conference Committee met March 9 and considered Senate Committee on Judiciary amendments dated February 26, 1974 and recommend as follows:

That the Senate recedes from its Committee on Judiciary Amendments dated February 26, 1974; and

Further that the Joint Conference Committee recommends that House Bill No. 1073 be amended as follows:

Amend the House third reading copy in the Title, page 1, line 10 by striking "twenty (20)" and inserting in lieu thereof "fifteen (15)";

And further amend Section 1, page 1, line 19 by striking "twenty (20)" and inserting in lieu thereof "fifteen (15)";

And further amend Section 1, page 2, line 2 by striking "twenty (20)" and inserting in lieu thereof "fifteen (15)";

And further amend Section 2, page 2, line 22 by striking "twenty (20)" and inserting in lieu thereof "fifteen (15)";

And further amend Section 2, page 2, Subsection (5), line 23 by striking "twenty (20)" and inserting in lieu thereof "fifteen (15)";

And further amend Section 2, page 2, Subsection (5), line 25, by striking "twenty (20)" and inserting in lieu thereof "fifteen (15)";

And further amend Section 3, page 3, line 8 by striking "twenty (20)" and inserting in lieu thereof "fifteen (15)";

And that House Bill No. 1073, as so amended, be concurred in.

FOR THE HOUSE:

GREELY

YARDLEY

FOR THE SENATE:

GILFEATHER

DEVINE

DRAKE

MESSAGE FROM THE OTHER HOUSE

March 9, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day on motion, duly carried, requests the return of House Bill No. 969 for further consideration.

Respectfully yours,

JOHN N. HANSON

Secretary of the Senate

MOTIONS

Greely moved that the House accede to the Senate's request and return House Bill No. 657 for further consideration.

Motion carried.

Marbut moved that the Conference Committee on Senate Bill No. 459 be dissolved and a new committee be appointed.

Motion carried.

Fasbender moved that the House accede to the Senate's request and return House Bill No. 969 for further consideration.

Motion carried.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following bills and resolution were introduced, read first time and referred to committees:

Senate Joint Resolution No. 69, introduced by Committee on Judiciary: A Joint Resolution of the Senate and the House of Representatives of the State of Montana repealing Rule 42-3.26(14)-S26200(1) of the Montana Administrative Code, concerning standards for taverns; and providing an effective date. Referred to Committee on Judiciary.

House Bill No. 1129, introduced by Laas, Haines, Johnston: A bill for an act entitled: "An act appropriating eight thousand five hundred dollars (\$8,500) to the Montana Historical Society for the services of a photo-archivist." Referred to Committee on Finance and Claims.

House Bill No. 1130, introduced by Lee, Lombardi, Healy, Quilici, Bell, R. Harper, Lynch, McKittrick, Mehrens, Flynn, Menahan, Brand, Norman, Kimble, Lucas, Ulmer, East, Laas, Murphy, Bennetts, Tierney: A bill for an act entitled: "an act appropriating one hundred ninety thousand seven hundred twenty dollars (\$190,720) from the general fund to the Division of Workmen's Compensation of the Department of Labor and Industry for benefits granted under Section 92-704.1, R.C.M. 1947." Referred to Committee on Finance and Claims.

SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)

Swanberg moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading under the rules of the previous sitting.

Motion carried.

Mann in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

March 9, 1974

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

Flynn excused at this time.

That Senate Amendments to House Bill No. 448 be concurred in. (63-0)

That Senate Amendments to House Bill No. 473 be passed to the bottom of the board.

That Senate Amendments to House Bill No. 494 be concurred in. (42-27)

That Senate Amendments to House Bill No. 634 be concurred in. (61-8)

That Senate Amendments to House Bill No. 649 be concurred in. (70-0)

That Senate Amendments to House Bill No. 665 be passed to the bottom of the board.

That Senate Amendments to House Bill No. 682 be concurred in. (66-1)

That Senate Amendments to House Bill No. 749 be concurred in. (55-12)

That Senate Amendments to House Bill No. 798 be concurred in. (68-0)

That Senate Amendments to House Bill No. 933 be concurred in. (64-0)

That Senate Amendments to House Bill No. 949 be concurred in. (62-1)

That Senate Amendments to House Bill No. 955 be concurred in. (69-0)

That Senate Amendments to House Bill No. 999 be concurred in. (67-0)

That the Joint Conference Committee Report on House Bill No. 694 be adopted. (63-0)

That the Joint Conference Committee Report on Senate Bill No. 537 be adopted. (64-0)

That the Joint Conference Committee Report on Senate Bill No. 620 be adopted. (65-0)

That Senate Amendments to House Bill No. 867 be concurred in. (68-0)

That Senate Amendments to House Bill No. 1089 be concurred in. (69-0)

That Senate Amendments to House Bill No. 473 be not concurred in. (48-21)

That Senate Amendments to House Bill No. 665 be not concurred in. (45-28)

That the committee rise and report.

MANN, Chairman

Report adopted.

THIRD READING OF BILLS

The following bills and resolutions, having been read three several times, title and history agreed to, were disposed of in the following manner:

The Joint Conference Committee Report on House Bill No. 694 was adopted by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Barrett, Bell, Bradley, Brown, Campbell, Castles, Clemow, Cotton, Driscoll, Edland, Fagg, Fasbender, Fleming, Forsgren, Galt, Glennen, Greely, Gunderson, Halvorson, R. Harper, Healy, Hodges, Holmes, Holtz, Huennekens, Johnston, Jones, Kendall, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Quilici, Regan, Roberts, Rolfe, Schepens, Selstad, Smith, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Towe, Ulmer, Watt, Mr. Speaker. Total 70.

Noes: None.

Excused: Baucus, Burnett, Flynn, Hager, Hall, H. Harper, Jacobsen, Lien, Prevost, Seifert, Shelden, Turner, Zimmer. Total 13.

Absent or not voting: Bardanouve, Bennetts, Brand, Colberg, Cox, East, Ellerd, Hageman, Haines, Hubing, Kessner, Marks, Schye, Turman, Walborn, Warfield, Yardley. Total 17.

The Joint Conference Committee Report on Senate Bill No. 537 was adopted by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Barrett, Bell, Bennetts, Bradley, Brown, Campbell, Castles, Clemow, Cotton, Driscoll, Edland, Fagg, Fasbender, Fleming, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Halvorson, R. Harper, Healy, Hodges, Holmes, Holtz, Huennekens, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Quilici, Regan, Roberts, Rolfe, Schepens, Selstad, Smith, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Towe, Ulmer, Watt, Mr. Speaker. Total 73.

Noes: None.

Excused: Baucus, Burnett, Flynn, Hager, Hall, H. Harper, Jacobsen, Lien, Prevost, Seifert, Shelden, Turner, Zimmer. Total 13.

Absent or not voting: Bardanouve, Brand, Colberg, Cox, East, Ellerd, Haines, Hubing, Marks, Schye, Turman, Walborn, Warfield, Yardley. Total 14.

The Joint Conference Committee Report on Senate Bill No. 620 was adopted by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Bell, Bennetts, Bradley, Brown, Campbell, Castles, Clemow, Cotton, Driscoll, Edland, Fagg, Fasbender, Fleming, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Halvorson, R. Harper, Healy, Hodges, Holmes, Holtz, Huennekens, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Quilici, Regan, Roberts, Rolfe, Schepens, Staigmillier, Stoltz, Swanberg, Tierney, Towe, Watt, Mr. Speaker. Total 70.

Noes: Selstad, Smith, Ulmer. Total 3.

Excused: Baucus, Burnett, Flynn, Hager, Hall, H. Harper, Jacobsen, Lien, Prevost, Seifert, Shelden, Turner, Zimmer. Total 13.

Absent or not voting: Brand, Colberg, Cox, East, Ellerd, Haines, Hubing, Marks, Schye, Stephens, Turman, Walborn, Warfield, Yardley. Total 14.

REPORTS OF STANDING COMMITTEES

March 9, 1974

I have examined House Resolution No. 67 introduced by me and find the same to be correct.

HALVORSON

March 9, 1974

I have examined House Bill No. 794 introduced by me and find the same to be correct.

KENDALL

March 9, 1974

I have examined House Bill No. 741 introduced by me and find the same to be correct.

GALT

March 9, 1974

Mr. Speaker: We, your Committee on Bills, to whom were referred House Bill No. 576, House Bill No. 607, House Bill No. 671, House Bill No. 806, House Bill No. 843, House Bill No. 848, House Bill No. 907, House Bill No. 920, House Bill No. 1026, House Bill No. 1069, House Bill No. 1082, do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day, at the hour of 4:35 o'clock, p.m., delivered to the Governor for his approval.

FLEMING, Chairman

March 9, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly printed: House Bill No. 221, House Bill No. 746, and House Bill No. 460.

QUILICI, Chairman

March 9, 1974

The following bills and resolutions will be signed on adjournment on March 9, 1974, in the office of the Speaker of the House of Representatives: Senate Bill No. 504, Senate Bill No. 506, Senate Bill No. 526, Senate Bill No. 536, Senate Bill No. 542, Senate Bill No. 572, Senate Bill No. 588, Senate Bill No. 651, Senate Bill No. 671, Senate Bill No. 689, Senate Bill No. 698, Senate Joint Resolution No. 55, Senate Joint Resolution No. 56, House Bill No. 741, House Bill No. 794, and House Resolution No. 67.

EDWIN A. SMITH, Chief Clerk
House of Representatives

REPORTS OF SELECT COMMITTEES

Joint Conference Committee Report
On Senate Bill No. 568

Mr. President and Speaker of the House:

We, your Joint Conference Committee met March 9 and considered House Committee on Rules amendments dated March 1, 1974 and recommend as follows:

That the Senate accedes to the House Committee on Rules amendments dated March 1, 1974 with the following amendment:

On the third line following the word "legislature" by adding the following language "on behalf of an interested person"

And that Senate Bill No. 568, as so amended, be concurred in.

FOR THE HOUSE:

FASBENDER
DRISCOLL
LUNDGREN

FOR THE SENATE:

JAMES
DARROW
FLYNN

March 9, 1974

Joint Conference Committee Report
House Amendments to Senate Bill No. 579

Mr. President and Speaker of the House:

We, your Joint Conference Committee met March 9 and considered House Committee on Judiciary amendments of February 28, 1974, and recommend as follows:

That the Senate accedes to the House Committee on Judiciary amendments; and

That Senate Bill No. 579, as so amended, be concurred in.

FOR THE HOUSE:

ROBERTS
GREELY
BELL

FOR THE SENATE:

ZODY
HAZELBAKER
KEENAN

MESSAGE FROM THE OTHER HOUSE

March 9, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day dissolved the Conference Committee on Senate Amendments to House Bill No. 556, and the President was authorized to appoint a new Conference Committee to meet with a like committee of the House to confer on Senate Amendment to House Bill No. 556.

The President appointed the following members:

Senator Thiessen, Chairman
Senator Turnage
Senator Bollinger

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

MOTIONS

Fasbender moved that the Speaker be authorized to appoint Conference Committees to meet with like committees from the Senate on House Bills Nos. 473 and 665.

Motion carried.

UNFINISHED BUSINESS

The Speaker appointed the following Conference Committee to meet with a like committee from the Senate on House Bill No. 473: Bennetts, Chairman; Mehrens and Tierney.

The Speaker appointed the following new Free Conference Committee to meet with a like committee from the Senate on House Bill No. 822: Driscoll, Chairman; Flynn and Aageson.

Fasbender moved that the House adjourn until 1:30 p.m., March 11, 1974.

Motion carried.

House adjourned.

HAROLD E. GERKE, Speaker

EDWIN A. SMITH, Chief Clerk

FIFTY-FIFTH LEGISLATIVE DAY

Helena, Montana
March 11, 1974House Chambers
Capitol Building

House convened at 1:30 p.m., Mr. Speaker in the Chair.

Invocation by the Chaplain.

Pledge of Allegiance to the Flag.

Roll call. All members present except Brand, Hall, McKittrick, Rolfe, Seifert, Stephens, Walborn and Zimmer, all excused.

Quorum present.

Mr. Speaker: We, your Committee on Bills and Journal, having examined the daily journal for the Fifty-fourth Legislative Day, find the same to be correct.

QUILICI, Chairman

REPORTS OF STANDING COMMITTEES

March 11, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill correctly printed: House Bill No. 1128.

QUILICI, Chairman

March 11, 1974

The following bills and resolutions were signed in the office of the Speaker of the House of Representatives on March 9, 1974: Senate Bill No. 504, Senate Bill No. 506, Senate Bill No. 526, Senate Bill No. 536, Senate Bill No. 542, Senate Bill No. 572, Senate Bill No. 588, Senate Bill No. 651, Senate Bill No. 671, Senate Bill No. 689, Senate Bill No. 698, Senate Joint Resolution No. 55, Senate Joint Resolution No. 56, House Bill No. 741, House Bill No. 794, House Resolution No. 67.

EDWIN A. SMITH, Chief Clerk
House of Representatives

March 11, 1974

Mr. Speaker: We, your Committee on Finance and Claims, having had under consideration Senate Bill No. 554, respectfully report as follows: That Senate Bill No. 554 be concurred in.

BARDANOUE, Chairman

Report adopted.

March 11, 1974

Mr. Speaker: We, your Committee on Finance and Claims, having had under consideration Senate Bill No. 622, respectfully report as follows: That Senate Bill No. 622 be concurred in.

BARDANOUE, Chairman

Report adopted.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 937 was adopted by the following vote:

Ayes: Ainsworth, Baeth, Baucus, Bell, Bennetts, Campbell, Castles, Colberg, Cotton, Cox, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Greely, Hageman, Hager, Halvorson, H. Harper, R. Harper, Healy, Holmes, Hubing, Johnston, Jones, Kendall, Kessner, Kimble, Kvaalen, Lee, Lockrem, Lombardi, Lundgren, Lynch, Mann, Manuel, Mehrens, Menahan, Mercer, Norman, Olson, Prevost, Quilici, Roberts, Schepens, Schye, Selstad, Staigmiller, Stoltz, Swanberg, Turner, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 59.

Noes: Aageson, Barrett, Bradley, Brown, Hodges, Kolstad, Laas, Marbut, Murphy, Tierney, Turman. Total 11.

Excused: Brand, Hall, McKittrick, Rolfe, Seifert, Stephens, Walborn, Zimmer. Total 8.

Absent or not voting: Asbjornson, Bardanouve, Burnett, Clemow, Driscoll, East, Galt, Glennen, Gunderson, Haines, Holtz, Huennekens, Jacobsen, Kosena, Lien, Lucas, Lund, Marks, Regan, Shelden, Smith, Towe. Total 22.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 1103 was adopted by the following vote:

Ayes: Ainsworth, Baeth, Baucus, Bennetts, Bradley, Brown, Campbell, Castles, Colberg, Edland, Ellerd, Fagg, Fasbender, Flynn, Forsgren, Greely, Gunderson, Hageman, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Kimble, Kolstad, Laas, Lee, Lien, Lombardi, Lundgren, Lynch, Manuel, Marbut, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Quilici, Roberts, Schepens, Schye, Smith, Staigmillier, Stoltz, Swanberg, Towe, Turman, Turner, Watt, Mr. Speaker. Total 57.

Noes: Aageson, Barrett, Bell, Cotton, Cox, Hager, Jones, Kvaalen, Lockrem, Mann, Mercer, Selstad, Tierney, Ulmer, Warfield, Yardley. Total 16.

Excused: Brand, Hall, McKittrick, Rolfe, Seifert, Stephens, Walborn, Zimmer. Total 8.

Absent or not voting: Asbjornson, Bardanouve, Burnett, Clemow, Driscoll, East, Fleming, Galt, Glennen, Haines, Holtz, Kendall, Kessner, Kosena, Lucas, Lund, Marks, Regan, Shelden. Total 19.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 1030 was adopted by the following vote:

Ayes: Aageson, Ainsworth, Baeth, Barrett, Baucus, Bell, Bennetts, Bradley, Brown, Campbell, Castles, Cotton, Cox, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Greely, Gunderson, Hageman, Hager, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Huennekens, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lundgren, Lynch, Mann, Manuel, Marbut, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Roberts, Schepens, Schye, Selstad, Smith, Staigmillier, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 73.

Noes: None.

Excused: Brand, Hall, McKittrick, Rolfe, Seifert, Stephens, Walborn, Zimmer. Total 8.

Absent or not voting: Asbjornson, Bardanouve, Burnett, Clemow, Driscoll, East, Edland, Galt, Glennen, Haines, Holtz, Hubing, Jacobsen, Kosena, Lucas, Lund, Marks, Regan, Shelden. Total 19.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 1106 was adopted by the following vote:

Ayes: Aageson, Baeth, Barrett, Baucus, Bell, Brown, Burnett, Campbell, Castles, Colberg, Ellerd, Fasbender, Fleming, Flynn, Forsgren, Greely, Gunderson, Hageman, Hager, Halvorson, H. Harper, R. Harper, Healy, Hodges, Hubing, Johnston, Kendall, Kessner, Kimble, Kvaalen, Laas, Lee, Lien, Lombardi, Lucas, Lundgren, Lynch, Mann, Manuel, Marbut, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Quilici, Roberts, Schepens, Schye, Selstad, Smith, Staigmillier, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Watt, Yardley, Mr. Speaker. Total 63.

Noes: Bennetts, Bradley, Cotton, Cox, Fagg, Holmes, Jones, Kolstad, Lockrem, Mercer, Warfield. Total 11.

Excused: Brand, Hall, McKittrick, Rolfe, Seifert, Stephens, Walborn, Zimmer. Total 8.

Absent or not voting: Ainsworth, Asbjornson, Bardanouve, Clemow, Driscoll, East, Edland, Galt, Glennen, Haines, Holtz, Huennekens, Jacobsen, Kosena, Lund, Marks, Regan, Shelden. Total 18.

REPORT OF SELECT COMMITTEE

March 9, 1974

Free Joint Conference Committee Report
House Bill No. 86

Mr. President and Speaker of the House:

We, your Free Joint Senate and House Conference Committee on House Bill No. 86, beg leave to report as follows:

That we met this day and considered Senate Committee of the Whole Amendments to House Bill No. 86, dated January 29, 1974, and recommend as follows:

That the House accede to the Senate Committee of the Whole Amendments to House Bill No. 86, dated January 29, 1974, and

Further that we met this day and considered Senate Committee on Judiciary Amendments to House Bill No. 86, dated March 5, 1973, and recommend as follows:

That the Senate recede from its amendment on page 1, paragraph number 1, and

That the House accede to the Senate Judiciary Committee Amendments on page 1, paragraphs numbers 2, 3, 4, 5, and 6, and

That the Senate recede from its amendments on page 1, paragraphs numbers 7, 8, 9, and 10, and that House Bill No. 86 be amended in lieu thereof as follows:

Amend the blue third reading copy of House Bill No. 86 on page 3, lines 20 and 21 by striking all of subsection (j) and relettering the following subsections, and

That the House accede to the Senate Judiciary Committee Amendments on page 1, all of the remaining paragraphs numbers 11, 12, 13, 14, 15, 16, and 17, and

That the Senate recede from its amendments on page two of the Senate Judiciary Committee Amendments dated March 5, 1973, paragraphs 1 and 2 and that the blue third reading copy of House Bill No. 86 be amended in lieu thereof as follows:

Amend page 6, lines 8 through 13 by striking all of Section 7 and inserting a new Section 7 to read as follows:

"Section 7f. Official abstracts of the records of convictions and bond forfeitures in the custody of the administrator, certified in writing by the administrator to be a true and correct account of the said convictions and bond forfeitures, may be admitted in evidence in any judicial proceeding under this act upon establishing the proper foundation.", and

That the House accede to the Senate Judiciary Committee Amendments on page two, paragraphs 3, 4, and 5, and

That the Senate recede from its amendments on page 2, paragraphs 6 and 7, and

That the House accede to the Senate Judiciary Committee Amendments on page 2, paragraphs 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, and 20, and

That the House accede to the Senate Judiciary Committee Amendments on page 3, all of the paragraphs 1 through 10, and

That the blue third reading copy of House Bill No. 86 be further amended as follows:

Amend page 1 in the Title, line 10, by striking the numbers, "1974" and inserting in lieu thereof the numbers "1975", and

Further amend page 11, line 11 by striking the numbers "1974" and inserting in lieu thereof the numbers "1975", and

That House Bill No. 86 as so amended, be concurred in.

FOR THE SENATE:

GILFEATHER, Chairman

BOYLAN

DRAKE

FOR THE HOUSE:

GREELY, Chairman

KOSENA

LUCAS

MESSAGES FROM THE OTHER HOUSE

March 9, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was this day on Committee Report, not concurred in, report adopted, and the said bill is herewith returned to the House:

House Bill No. 913 introduced by Murphy, Edland, et al

Respectfully yours,

JOHN N. HANSON

Secretary of the Senate

March 9, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was this day read third time, and concurred in as amended, title and history agreed to, and the said bill is herewith returned to the House for concurrence in Senate amendments:

House Bill No. 909 introduced by Fasbender, Campbell, et al

Respectfully yours,

JOHN N. HANSON

Secretary of the Senate

March 9, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was this day read third time, and concurred in, title and history agreed to, and the said bill is herewith returned to the House:

House Bill No. 1,099 introduced by Lee, Quilici, et al

Respectfully yours,

JOHN N. HANSON

Secretary of the Senate

March 9, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Amendments to Senate Joint Resolutions were this day concurred in on third reading by the Senate:

House Amendment to Senate Joint Resolution No. 53

House Amendment to Senate Joint Resolution No. 63

House Amendment to Senate Joint Resolution No. 68

Respectfully yours,

JOHN N. HANSON

Secretary of the Senate

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Amendments to Senate Bills were this day concurred in on third reading by the Senate:

House Amendments to Senate Bill No. 42
House Amendments to Senate Bill No. 539
House Amendments to Senate Bill No. 553
House Amendments to Senate Bill No. 559
House Amendments to Senate Bill No. 587
House Amendments to Senate Bill No. 641
House Amendments to Senate Bill No. 655
House Amendments to Senate Bill No. 674
House Amendments to Senate Bill No. 679
House Amendments to Senate Bill No. 681
House Amendments to Senate Bill No. 685
House Amendments to Senate Bill No. 693
House Amendments to Senate Bill No. 697
House Amendments to Senate Bill No. 703
House Amendments to Senate Bill No. 715
House Amendments to Senate Bill No. 717

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

March 9, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day read three several times, and passed, titles and history agreed to, and the said bills are transmitted to the House for concurrence:

Senate Bill No. 644 introduced by Boylan and Sorensen
Senate Bill No. 730 introduced by Drake, Lynch, et al
Senate Bill No. 741 introduced by Lynch and Mathers
Senate Bill No. 743 introduced by Graham

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

March 9, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day failed to concur in House Amendments to Senate Bill No. 367, and the Presi-

dent was authorized to appoint a Free Conference Committee, and the Senate respectfully requests the House to appoint a like committee to confer on Senate Bill No. 367.

The President appointed the following members:

Senator Sorensen, Chairman
Senator Broeder
Senator Manning

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

March 9, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day adopted the following Conference Committee Reports on third reading, roll call vote, and the committees have been discharged.

Conference Committee Report on House Amendments to Senate Bill No. 537

Conference Committee Report on House Amendments to Senate Bill No. 620

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

March 9, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Free Conference Committee Report on Senate Bill No. 525 was this day adopted on third reading, roll call vote, and the committee has been discharged.

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

March 9, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day failed to concur in House Amendments to Senate Bill No. 556, and the President was authorized to appoint a Conference Committee, and the Senate respectfully requests the House to appoint a like committee to confer on House Amendments to Senate Bill No. 556.

The President appointed the following members:

Senator Lynch, Chairman
Senator McKeon
Senator Moore

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

March 9, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day failed to concur in House Amendments to Senate Bill No. 599, and the President was authorized to appoint a Conference Committee, and the Senate respectfully requests the House to appoint a like committee to confer on House Amendments to Senate Bill No. 599.

The President appointed the following members:

Senator McGowan, Chairman
Senator Turnage
Senator Lynch

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

March 9, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day failed to concur in House Amendments to Senate Bill No. 642, and the President was authorized to appoint a Conference Committee, and the Senate respectfully requests the House to appoint a like committee to confer on House Amendments to Senate Bill No. 642.

The President appointed the following members:

Senator Siderius, Chairman
Senator Bennett
Senator James

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

March 9, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day failed to concur in House Amendments to Senate Bill No. 626, and the President was authorized to appoint a Conference Committee, and the Senate respectfully requests the House to appoint a like committee to confer on House Amendments to Senate Bill No. 626.

The President appointed the following members:

Senator James, Chairman
Senator Bertsche
Senator Drake

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

March 9, 1974

Mr. Speake..

I am directed by the Senate to inform your Honorable Body that the Senate this day dissolved the Conference Committee on Senate Amendments to House Bill No. 774, and authorized the President to appoint a new Free Conference Committee to meet with a like committee of the House to confer on House Bill No. 774.

The President appointed the following members:

Senator Bertsche, Chairman
 Senator Northey
 Senator Thiessen

Respectfully yours,

JOHN N. HANSON
 Secretary of the Senate

MOTIONS

Fasbender moved that the Speaker be authorized to appoint a Free Conference Committee to meet with a like committee from the Senate on Senate Bill No. 367.

Motion carried.

The Speaker appointed the following Free Conference Committee on Senate Bill No. 367: Laas, Chairman; Huennekens and Aageson.

Fasbender moved that the Speaker be authorized to appoint Conference Committees to meet with like committees from the Senate on House Amendments to Senate Bills Nos. 556, 599, 626 and 642.

Motion carried.

The Speaker appointed the following Conference Committee on House Amendments to Senate Bill No. 556: Fasbender, Chairman; Towe and Marbut.

The Speaker appointed the following Conference Committee on House Amendments to Senate Bill No. 599: Norman, Chairman; Towe and Ulmer.

The Speaker appointed the following Conference Committee on House Amendments to Senate Bill No. 626: Flynn, Chairman; Menahan and Ulmer.

The Speaker appointed the following Conference Committee on House Amendments to Senate Bill No. 642: Lee, Chairman; Kimble and Bell.

Fasbender moved that Senate Bill No. 266 be taken from Third Reading and placed on Second Reading for further consideration this day.

Motion carried.

Fasbender moved that the rules be suspended and that House Bill No. 746 and Senate Bill No. 266 be allowed to be placed on Second and Third Reading this day.

Motion carried.

Quilici moved that the Joint Conference Committee Report on House Bill No. 670 be taken from Second Reading and re-referred to the Conference Committee.

Motion carried.

Ulmer moved that Senate Bill No. 264 be taken from the Committee on Taxation and placed on Second Reading. A roll call vote was requested by Ulmer with the Ayes and Nays spread on the Journal. Sufficient seconds arose and the motion failed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Barrett, Bell, Brown, Burnett, Campbell, Castles, Cox, East, Ellerd, Fagg, Forsgren, Galt, Glennen, Hager, Haines, H. Harper, Holtz, Hubing, Jones, Kessner, Kolstad, Kvaalen, Lockrem, Lucas, Lund, Lundgren, Mann, Marks, Mercer, Olson, Rolfe, Seifert, Schye, Selstad, Smith, Tierney, Turman, Turner, Ulmer, Walborn, Warfield. Total 44.

Noes: Baeth, Bardanouve, Baucus, Bennetts, Bradley, Brand, Colberg, Cotton, Driscoll, Edland, Fasbender, Fleming, Flynn, Greely, Gunderson, Hageman, Halvorson, R. Harper, Healy, Hodges, Holmes, Huennekens, Jacobsen, Johnston, Kendall, Kimble, Kosena, Laas, Lee, Lien, Lombardi, Lynch, McKittrick, Manuel, Mehrens, Menahan, Murphy, Norman, Prevost, Quilici, Regan, Roberts, Schepens, Shelden, Staigmillier, Stephens, Stoltz, Swanberg, Towe, Watt, Yardley, Mr. Speaker. Total 52.

Paired: Aageson, Cox, Holtz, Rolfe, Seifert, Walborn, Aye; Brand, Flynn, McKittrick, Mehrens, Quilici, Stephens, Nay.

Excused: Hall, Zimmer. Total 2.

Absent or not voting: Clemow, Marbut. Total 2.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following bills were introduced, read first time and referred to committees:

Senate Bill No. 644, introduced by Boylan, Sorensen: A bill for an act entitled: "An act amending Section 4-117, R.C.M. 1947, to remove archaic language and to provide a person who purchases liquor in case lots with a ten percent (10%) reduction from the retail price." Referred to Committee on Finance and Claims.

Senate Bill No. 730, introduced by Drake, Lynch, Mathers, Flynn, Vainio, Lowe, Cochrane, Broeder, Siderius, Story: A bill for an act entitled: "An act appropriating thirty three thousand three hundred thirty-three dollars (\$33,333) to the Department of Agriculture to be used as development and construction funds for a U.S.D.A. approved port of export facility for the exploration of livestock." Referred to Committee on Finance and Claims.

Senate Bill No. 741, introduced by Lynch, Mathers: A bill for an act entitled: "An act to require taxing authorities to hold hearings prior to increasing property taxation rates; requiring the Department of Revenue to certify total valuations and millage rates to taxing authorities; and providing an effective date." Referred to Committee on Taxation.

Senate Bill No. 743, introduced by Graham: A bill for an act entitled: "An act amending Section 6 of Chapter 60, Session Laws of 1974 (32-2144.6, R.C.M. 1947) to provide for fees of justices of the peace; and providing and effective date." Referred to Committee on Highways and Transportation.

House Bill No. 1131, introduced by Holmes: A bill for an act entitled: "An act appropriating ninety eight thousand seven hundred sixty-six dollars (98,766) from the general fund to the Commission on Human Rights for the payment of operating expenses for the biennium ending June 30, 1975; appropriating available federal and private monies; and providing an effective date." Referred to Committee on Finance and Claims.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Fasbender moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading under the rules of the previous sitting.

Motion carried.

Colberg in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

March 11, 1974

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

Prevost excused at this time.

That House Bill No. 746 do pass. (69-17)

Rolfe present at this time.

That House Resolution No. 45 be adopted. (67-1)

Swanberg replaces Colberg in the Chair.

Colberg resumes the Chair.

That House Resolution No. 66 be adopted. (69-10)

That House Resolution No. 73 be adopted. (75-0)

That House Resolution No. 77 be adopted. (69-0)

That Senate Bill No. 733 be concurred in. (68-3)

That Senate Amendments to House Bill No. 360 be concurred in. (70-0)

That Senate Amendments to House Bill No. 918 be concurred in. (76-0)

That Senate Amendments to House Bill No. 971 be concurred in. (76-0)

That Senate Amendments to House Bill No. 1010 be passed to the bottom of the board.

That Senate Amendments to House Bill No. 1016 be not concurred in. (67-7)

That Senate Amendments to House Bill No. 1017 be not concurred in. (46-38)

That Senate Amendments to House Bill No. 1032 be concurred in. (56-21)

That Senate Amendments to House Bills Nos. 1048, 1050, 1052, 1053, 1101, 1119, House Joint Resolution No. 73, Joint Conference Committee Reports to House Bills Nos. 670, 879, 888, 1073, Joint Conference Committee Reports to Senate Bills Nos. 568 and 579 all be passed to the bottom of the board.

That Senate Bill No. 266 be amended in the title, on page 1, line 9 after the word "purposes" by inserting the following punctuation and words "; and providing an effective date" (77-0), and

Further amend page 10 after line 14 by inserting the following new material: "Section 3. This act shall be effective on passage and approval." (63-2), and

As amended, be concurred in. (73-1)

That the committee rise and report.

COLBERG, Chairman

Report adopted.

REPORTS OF STANDING COMMITTEES

March 11, 1974

Mr. Speaker: We, your Committee on Finance and Claims, having had under consideration House Bill No. 760, respectfully report as follows: That House Bill No. 760 do not pass.

BARDANOUVE, Chairman

March 11, 1974

Mr. Speaker: We, your Committee on Finance and Claims, having had under consideration House Bill No. 1046, respectfully report as follows: That House Bill No. 1046 do pass.

BARDANOUVE, Chairman

Report adopted.

March 11, 1974

Mr. Speaker:

We, your Committee on Finance and Claims, having had under consideration House Bill No. 1122, respectfully report as follows: That House Bill No. 1122 be amended as follows:

Amend in Section 1, lines 10 and 11 of the introduced copy, by omitting the words and figures "twenty thousand dollars (\$20,000)" and inserting in lieu thereof the following "fourteen thousand seven hundred fifty dollars (\$14,750)", and

Further amend Section 1, line 15 by omitting the word "new", and

Further amend Section 1, line 16 by omitting the words and figures "one (1) new secretary receptionist 6,000" and inserting the following "part-time secretarial assistance 2,000", and

Further amend Section 1, line 17 by omitting the figures "1,600" and inserting in lieu thereof the figures "1,550", and

Further amend Section 1, line 18 by omitting the figures "2,400" and inserting in lieu thereof the figures "1,200", and

As amended, do pass.

BARDANOUE, Chairman

Report adopted.

THIRD READING OF BILLS

The following bills, having been read three several times, title and history agreed to, were disposed of in the following manner:

Senate Bill No. 718 was concurred in by the following vote:

Ayes: Bardanoue, Barrett, Bell, Bennetts, Bradley, Castles, Colberg, Driscoll, Fasbender, Fleming, Flynn, Glennen, Greely, Hager, Haines, H. Harper, R. Harper, Healy, Hodges, Huennekens, Jacobsen, Kendall, Kimble, Kosena, Lee, Lien, Lombardi, Lynch, Manuel, Menahan, Mercer, Murphy, Quilici, Regan, Rolfe, Schepens, Schye, Swanberg, Tierney, Towe, Turman, Turner, Warfield, Yardley, Mr. Speaker. Total 45.

Noes: Aageson, Asbjornson, Baeth, Brown, Burnett, Campbell, Cox, East, Ellerd, Forsgren, Gunderson, Halvorson, Holmes, Johnston, Kessner, Kvaalen, Marbut, Marks, Olson, Selstad, Shelden, Smith, Staigmillar, Stoltz, Ulmer, Watt. Total 26.

Excused: Brand, Hall, McKittrick, Prevost, Seifert, Stephens, Walborn, Zimmer. Total 8.

Absent or not voting: Ainsworth, Baucus, Clemow, Cotton, Edland, Fagg, Galt, Hageman, Holtz, Hubing, Jones, Kolstad, Laas, Lockrem, Lucas, Lund, Lundgren, Mann, Mehrens, Norman, Roberts. Total 21.

Senate Amendments to House Bill No. 448 were concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanoue, Barrett, Baucus, Bell, Bennetts, Bradley, Brown, Campbell, Castles, Clemow, Colberg, Cox, Driscoll, East, Ellerd, Fasbender, Fleming, Flynn, Galt, Glennen, Greely, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Quilici, Regan, Schepens, Schye, Selstad, Shelden, Smith, Staigmillar, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Watt, Yardley, Mr. Speaker. Total 79.

Noes: Burnett, Gunderson, Warfield. Total 3.

Excused: Brand, Hall, McKittrick, Prevost, Seifert, Stephens, Walborn, Zimmer. Total 8.

Absent or not voting: Cotton, Edland, Fagg, Forsgren, Hageman, Holtz, Hubing, Huennekens, Roberts, Rolfe. Total 10.

Senate Amendments to House Bill No. 494 were concurred in by the following vote:

Ayes: Ainsworth, Bardanoue, Baucus, Bennetts, Bradley, Campbell, Castles, Cotton, Cox, Driscoll, Fasbender, Fleming, Flynn, Galt, Glennen, Greely, Gunderson, Hager, Haines, Halvorson, H. Harper, Healy, Hodges, Hubing, Huennekens, Kendall, Kimble, Kosena, Kvaalen, Lee, Lombardi, Lucas, Mann, Marbut, Marks, Mercer, Norman, Quilici, Regan, Schepens, Schye, Stoltz, Swanberg, Towe, Turman, Watt, Yardley, Mr. Speaker. Total 48.

Noes: Aageson, Baeth, Barrett, Bell, Brown, Burnett, Clemow, Ellerd, R. Harper, Holmes, Jacobsen, Johnston, Jones, Kessner, Kolstad, Laas, Lien, Lockrem, Lund, Lundgren, Lynch, Manuel, Mehrens, Menahan, Murphy, Olson, Roberts, Rolfe, Selstad, Shelden, Smith, Staigmillar, Tierney, Turner, Ulmer, Warfield. Total 36.

Excused: Brand, Hall, McKittrick, Prevost, Seifert, Stephens, Walborn, Zimmer. Total 8.

Absent or not voting: Asbjornson, Colberg, East, Edland, Fagg, Forsgren, Hageman, Holtz. Total 8.

Senate Amendments to House Bill No. 634 were concurred in by the following vote:

Ayes: Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, Ellerd, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lynch, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Smith, Staigmillar, Stoltz, Tierney, Towe, Turman, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 77.

Noes: Aageson, Burnett, East, Hubing, Kolstad, Selstad. Total 6.

Excused: Brand, Hall, McKittrick, Prevost, Seifert, Stephens, Walborn, Zimmer. Total 8.

Absent or not voting: Brown, Edland, Fagg, Holtz, Kosena, Lundgren, Shelden, Swanberg, Turner. Total 9.

Senate Amendments to House Bill No. 649 were concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Ellerd, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Selstad, Shelden, Smith, Staigmillar, Stoltz, Swanberg, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 87.

Noes: Burnett, Tierney. Total 2.

Excused: Brand, Hall, McKittrick, Prevost, Seifert, Stephens, Walborn, Zimmer. Total 8.

Absent or not voting: Edland, Fagg, Holtz. Total 3.

Senate Amendments to House Bill No. 682 were concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fasbender, Fleming, Flynn, Forsgren, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Quilici, Regan, Roberts, Rolfe, Schepens, Selstad, Shelden, Smith, Staigmillar, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 87.

Noes: Burnett. Total 1.

Excused: Brand, Hall, McKittrick, Prevost, Seifert, Stephens, Walborn, Zimmer. Total 8.

Absent or not voting: Fagg, Galt, Holtz, Schye. Total 4.

Senate Amendments to House Bill No. 749 were concurred in by the following vote:

Ayes: Ageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bennetts, Bradley, Brown, Campbell, Castles, Colberg, Cotton, Driscoll, Edland, Ellerd, Fاسبender, Fleming, Flynn, Forsgren, Glennen, Greely, Gunderson, Hageman, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Huennekens, Jacobsen, Johnston, Kendall, Kessner, Kimble, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, Mann, Marbut, Mehrens, Menahan, Murphy, Norman, Quilici, Regan, Roberts, Schepens, Schye, Shelden, Staigmilller, Stoltz, Swanberg, Tierney, Towe, Turner, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 72.

Noes: Bell, Burnett, Clemow, Cox, East, Hager, Hubing, Jones, Kolstad, Manuel, Marks, Mercer, Olson, Rolfe, Selstad, Smith. Total 16.

Excused: Brand, Hall, McKittrick, Prevost, Seifert, Stephens, Walborn, Zimmer. Total 8.

Absent or not voting: Fagg, Galt, Holtz, Turman. Total 4.

Senate Amendments to House Bill No. 798 were concurred in by the following vote:

Ayes: Ageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fاسبender, Fleming, Flynn, Forsgren, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Shelden, Smith, Staigmilller, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 87.

Noes: Burnett, Selstad. Total 2.

Excused: Brand, Hall, McKittrick, Prevost, Seifert, Stephens, Walborn, Zimmer. Total 8.

Absent or not voting: Fagg, Galt, Hubing. Total 3.

Senate Amendments to House Bill No. 867 were concurred in by the following vote:

Ayes: Ageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Bell, Bennetts, Bradley, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fاسبender, Fleming, Flynn, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Selstad, Shelden, Smith, Staigmilller, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 87.

Noes: None.

Excused: Brand, Hall, McKittrick, Prevost, Seifert, Stephens, Walborn, Zimmer. Total 8.

Absent or not voting: Baucus, Burnett, Fagg, Forsgren, Galt. Total 5.

Senate Amendments to House Bill No. 933 were concurred in by the following vote:

Ayes: Asbjornson, Baeth, Baucus, Bell, Bennetts, Bradley, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd,

Fasbender, Fleming, Flynn, Forsgren, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Selstad, Shelden, Smith, Staigmilller, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 85.

Noes: Hubing. Total 1.

Excused: Brand, Hall, McKittrick, Prevost, Seifert, Stephens, Walborn, Zimmer. Total 8.

Absent or not voting: Aageson, Ainsworth, Bardanouve, Barrett, Fagg, Galt. Total 6.

Senate Amendments to House Bill No. 949 were concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Baucus, Bell, Bennetts, Bradley, Brown, Castles, Colberg, Driscoll, East, Edland, Fasbender, Fleming, Forsgren, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Jones, Kendall, Kimble, Kolstad, Kosena, Kvaalen, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, Mann, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Quilici, Regan, Roberts, Rolfe, Schepens, Shelden, Staigmilller, Stoltz, Swanberg, Tierney, Towe, Turman, Ulmer, Watt, Yardley, Mr. Speaker. Total 71.

Noes: Barrett, Burnett, Campbell, Clemow, Cotton, Cox, Ellerd, Flynn, Holtz, Johnston, Kessner, Manuel, Olson, Schye, Selstad, Smith, Turner, Warfield. Total 18.

Excused: Brand, Hall, McKittrick, Prevost, Seifert, Stephens, Walborn, Zimmer. Total 8.

Absent or not voting: Fagg, Galt, Laas. Total 3.

Senate Amendments to House Bill No. 955 were concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Fasbender, Fleming, Flynn, Forsgren, Glennen, Gunderson, Hageman, Hager, Haines, Halvorson, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lundgren, Lynch, Mann, Marbut, Mehrens, Menahan, Mercer, Norman, Quilici, Regan, Roberts, Rolfe, Schepens, Selstad, Shelden, Staigmilller, Stoltz, Swanberg, Tierney, Towe, Turner, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 76.

Noes: Bennetts, Bradley, Ellerd, Greely, H. Harper, Lund, Manuel, Marks, Murphy, Schye, Smith, Turman. Total 12.

Excused: Brand, Hall, McKittrick, Prevost, Seifert, Stephens, Walborn, Zimmer. Total 8.

Absent or not voting: Fagg, Galt, Kendall, Olson. Total 4.

Senate Amendments to House Bill No. 999 were concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Barrett, Baucus, Bell, Bennetts, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fasbender, Flynn, Forsgren, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, Healy, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lynch, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Quilici, Regan, Roberts, Rolfe,

Schepens, Selstad, Shelden, Smith, Staigmiller, Stoltz, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 79.

Noes: Burnett, Fleming, R. Harper, Hodges, Schye. Total 5.

Excused: Brand, Hall, McKittrick, Prevost, Seifert, Stephens, Walborn, Zimmer. Total 8.

Absent or not voting: Bardanouve, Bradley, Fagg, Galt, Holtz, Kendall, Lundgren, Swanberg. Total 8.

Senate Amendments to House Bill No. 1089 were concurred in by the following vote:

Ayes: Ageson, Ainsworth, Asbjornson, Baeth, Barrett, Baucus, Bell, Bennetts, Bradley, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Selstad, Shelden, Smith, Staigmiller, Stoltz, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 88.

Noes: None.

Excused: Brand, Hall, McKittrick, Prevost, Seifert, Stephens, Walborn, Zimmer. Total 8.

Absent or not voting: Bardanouve, Galt, Kessner, Swanberg. Total 4.

House Bill No. 746 was passed by the following vote:

Ayes: Ageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brown, Castles, Colberg, Cox, Driscoll, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Huennekens, Jacobsen, Johnston, Kendall, Kimble, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Olson, Quilici, Regan, Roberts, Schepens, Schye, Shelden, Staigmiller, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 75.

Noes: Burnett, Campbell, Clemow, East, Hager, Holtz, Hubing, Jones, Kessner, Kolstad, Mann, Mercer, Norman, Rolfe, Selstad, Smith. Total 16.

Excused: Brand, Hall, McKittrick, Prevost, Seifert, Stephens, Walborn, Zimmer. Total 8.

Absent or not voting: Cotton. Total 1.

Senate Bill No. 266 was concurred in by the following vote:

Ayes: Ageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Selstad, Shelden, Staigmiller, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 89.

Noes: East, Hubing, Smith. Total 3.

Excused: Brand, Hall, McKittrick, Prevost, Seifert, Stephens, Walborn, Zimmer. Total 8.

Absent or not voting None

REPORTS OF SELECT COMMITTEES

March 11, 1974

Joint Conference Committee Report No. 2 House Bill No. 670

Mr. President and Speaker of the House:

We, your Joint Conference Committee met March 9 and considered Senate Committee on State Administration Amendments dated March 2, 1974, and recommend as follows:

That the House accedes to the Senate Committee on State Administration amendments dated March 2, 1974; and

Further that the Joint Conference Committee recommends that House Bill No. 670 be amended as follows:

And further amend page 2, Section 1, following line 3 by striking Subsection 8, and by inserting the following new Subsection (8) as follows:

"(8) Personal Staff of the elected officials enumerated in Article VI, Section 1, of the constitution of Montana are exempt from Sections 59-909, 59-910, and 59-911 of this act, and Section 82A-1014."

FOR THE HOUSE:

QUILICI

BRADLEY

COX

FOR THE SENATE:

JAMES

SORENSEN

March 9, 1974

New Joint Conference Committee Report Senate Amendments to House Bill No. 774

Mr. President and Speaker of the House:

We, your New Joint Conference Committee met March 9, and considered Senate Committee on Local Government Amendments dated March 1, 1974 and recommend as follows:

That the Senate recedes from the Senate Committee on Local Government Amendments dated March 1, 1974; and

Further that the New Joint Conference Committee recommends that House Bill No. 774 be amended as follows:

Amend the House third reading copy, Section 2, page 1, line 17, after the word "governor," by inserting the following new material: "No more than five (5) members shall be of any one political party."

And that House Bill No. 774, as so amended, be concurred in.

FOR THE SENATE:

BERTSCHE

THIESSEN

NORTHEY

FOR THE HOUSE:

KOSENNA

COX

MESSAGES FROM THE GOVERNOR

March 11, 1974

Honorable Harold Gerke
Speaker of the House of Representatives
Capitol

Helena, Montana 59601

Dear Mr. Speaker:

I have the honor to inform you that I have this day approved the following measures:

House Bills Nos.: 576, 577, 587, 592, 593, 598, 599, 610, 635, 643, 661, 664, 686, 702, 711, 734, 736, 737, 738, 740, 742, 781, 783, 786, 788, 793, 796, 802, 813, 815, 818, 823, 827, 828, 839, 840, 853, 857, 885, 887, 899, 912, 914, 916, 922, 926, 927, 928, 938, 939, 940, 942, 947, 954, 958, 966, 1021, 1060, 1074, 1083, 1098.

Sincerely,

THOMAS L. JUDGE
Governor

cc: Honorable Gordon McOmber

March 11, 1974

Honorable Gordon McOmber
President of the Senate
State Capitol
Helena, Montana

Dear President McOmber:

I have the honor to inform you that I have this day approved the following measures:

Senate Bills Nos.: 453, 489, 495, 499, 501, 521, 522, 534, 546, 549, 560, 563, 581, 591, 609, 615, 634, 640, 654, 668, 691, 709 and 728.

Sincerely,

THOMAS L. JUDGE
Governor

cc: Honorable Harold Gerke

MESSAGES FROM THE OTHER HOUSE

March 11, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that on motion, duly carried, this day, the Conference Committee on Senate Amendments to House Bill No. 670 was taken from Second Reading and referred back to the Conference Committee.

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

March 11, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that on motion, duly carried, this day, the Free Conference Committee on House Bill No. 774 was dissolved and the President was authorized to appoint a new Conference Committee on Senate Amendments to House Bill No. 774.

The President appointed the following members:

Senator Bertsche, Chairman
Senator Thiessen
Senator Northey

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

UNFINISHED BUSINESS

The Speaker appointed the following New Conference Committee to meet with a like committee from the Senate on House Amendments to Senate Bill No. 459: Greely, Chairman; Towe and Marbut.

REPORTS OF STANDING COMMITTEES

March 11, 1974

I have examined House Bill No. 797 introduced by me and find the same to be correct.

GREELY

March 11, 1974

I have examined House Bill No. 1009 introduced by me and find the same to be correct.

BARDANOUE

March 11, 1974

I have examined House Bill No. 950 introduced by me and find the same to be correct.

ROBERTS

March 11, 1974

I have examined House Bill No. 765 introduced by me and find the same to be correct.

SCHEPENS

March 11, 1974

I have examined House Joint Resolution No. 59 introduced by me and find the same to be correct.

HOLMES

March 11, 1974

I have examined House Bill No. 889 introduced by me and find the same to be correct.

SWANBERG

March 11, 1974

I have examined House Bill No. 830 introduced by me and find the same to be correct.

TOWE

March 11, 1974

I have examined House Bill No. 991 introduced by me and find the same to be correct.

HEALY

March 11, 1974

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bill No. 741 and House Bill No. 794, do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day, at the hour of 3:00 o'clock, p.m., delivered to the Governor for his approval.

QUILICI, Chairman

March 11, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills and resolution correctly enrolled: House Bill No. 765, House Bill No. 797, House Bill No. 830, House Bill No. 889, House Bill No. 950, House Bill No. 991, House Bill No. 1009, House Joint Resolution No. 59.

QUILICI, Chairman

March 11, 1974

The following bills and resolutions will be signed on adjournment on March 11, 1974, in the office of the Speaker of the House of Representatives: House Bill No. 765, House Bill No. 797, House Bill No. 830, House Bill No. 889, House Bill No. 950, House Bill No. 991, House Bill No. 1009, House Joint Resolution No. 59, Senate Bill No. 493, Senate Bill No. 558, Senate Bill No. 649, Senate Joint Resolution No. 42, Senate Joint Resolution No. 62, Senate Joint Resolution No. 67.

EDWIN A. SMITH, Chief Clerk
House of Representatives

Objection raised by Campbell on adverse committee report on House Bill No. 760. Referred to Second Reading.

Fasbender moved that the House adjourn until 9:00 a.m., March 12, 1974.

Motion carried.

House adjourned.

HAROLD E. GERKE, Speaker

EDWIN A. SMITH, Chief Clerk

FIFTY-SIXTH LEGISLATIVE DAY

Helena, Montana
March 12, 1974House Chambers
Capitol Building

House convened at 9:00 a.m., Mr. Speaker in the Chair.

Invocation by the Chaplain.

Pledge of Allegiance to the Flag.

Roll call. All members present except Brand, Hall, McKittrick, Seifert, Walborn and Zimmer, excused.

Quorum present.

Mr. Speaker: We, your Committee on Bills and Journal, having examined the daily journal for the Fifty-fifth Legislative Day, find the same to be correct.

QUILICI, Chairman

REPORTS OF STANDING COMMITTEES

March 11, 1974
Reported March 12, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills correctly printed: House Bill No. 566, House Bill No. 627, House Bill No. 747, House Bill No. 748, and House Bill No. 1121.

QUILICI, Chairman

March 12, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill correctly printed: House Bill No. 1046.

QUILICI, Chairman

March 12, 1974

The following bills and resolutions were signed in the office of the Speaker of the House of Representatives on March 11, 1974: House Bill No. 765, House Bill No. 797, House Bill No. 830, House Bill No. 889, House Bill No. 950, House Bill No. 991, House Bill No. 1009, House Joint Resolution No. 59, Senate Bill No. 493, Senate Bill No. 558, Senate Bill No. 649, Senate Joint Resolution No. 42, Senate Joint Resolution No. 62, and Senate Joint Resolution No. 67.

EDWIN A. SMITH, Chief Clerk
House of Representatives

REPORTS OF SELECT COMMITTEES

March 11, 1974

Joint Conference Committee Report On
Senate Amendments to House Bill No. 586

Mr. President and Speaker of the House:

We, your Joint Conference Committee on Senate amendments to House Bill No. 586 beg leave to report as follows:

That we met this day and considered Senate Committee on Taxation Amendments dated February 23, 1974 to House Bill No. 586 and the Joint Conference Committee recommends as follows:

That the Senate recede from the Committee on Taxation Amendments dated February 23, 1974 to the title on page 1, lines 11 and 13, and that the Joint Conference Committee further recommends the bill be amended as follows:

Amend page 1, line 11, by omitting the underlined words and figures "eighteen cents (18¢)" and inserting in lieu thereof the following words and figures "sixteen cents (16¢)"; and

Further amend page 1, line 13, by omitting the underlined words and figures "six cents (6¢)" and inserting in lieu thereof the following words and figures "five cents (5¢)";

That the House accede to the Senate amendment to the title, page 1, line 14;

That the Senate recede from the Committee on Taxation Amendments dated February 23, 1974 to Section 1, lines 6, 8, and 9, page 2; and

That the Joint Conference Committee further recommends that the bill be amended as follows:

Amend page 2, line 6, by omitting the underlined words and figures "eighteen cents (18¢)" and inserting in lieu thereof the following words and figures "sixteen cents (16¢)"; and

Further amend page 2, lines 8 and 9, by omitting the underlined words and figures "six cents (6¢)" and inserting in lieu thereof the following words and figures "five cents (5¢)"; and

That the House accede to the Senate amendment to page 3, line 13; and

That House Bill No. 586, as so amended, be concurred in.

FOR THE SENATE:

FLYNN

VAINIO

BROEDER

FOR THE HOUSE:

BARDANOUVE

KOSENA

MESSAGES FROM THE OTHER HOUSE

March 11, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day acceded to the request of the House, and authorized the President to appoint a Conference Committee to meet with a like committee of the House to confer on Senate Amendments to House Bill No. 473.

The President appointed the following members:

Senator Flynn, Chairman
Senator McKeon
Senator Bennett

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

March 11, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day on motion, duly carried, dissolved the Conference Committee on House Amendments to Senate Bill No. 459, and the President was authorized to appoint a new Conference Committee to meet with a like committee of the House to confer on House Amendments to Senate Bill No. 459.

The President appointed the following members:

Senator Bertsche, Chairman
Senator Thiessen
Senator Mathers

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

March 11, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day on Committee of the Whole rejected the Conference Committee report on Senate Amendments to House Bill No. 888, and that on motion, failed to appoint a new committee to meet on Senate Amendments to House Bill No. 888.

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

March 11, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day on Committee of the Whole rejected the Conference Committee report on Senate Amendments to House Bill No. 694, and the President was authorized to appoint a new Conference Committee, and respectfully requests the House to appoint a like committee to confer on Senate Amendments to House Bill No. 694.

The President appointed the following members:

Senator Graham, Chairman
Senator Turnage
Senator Thiessen

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

March 11, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day adopted the following Conference Committee Reports on third reading, roll call vote, and the committees have been discharged:

Conference Committee Report on House Amendments to Senate Bill No. 568

Conference Committee Report on House Amendments to Senate Bill No. 579

Conference Committee Report on Senate Amendments to House Bill No. 879

Conference Committee Report on Senate Amendments to House Bill No. 1073

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

March 11, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was this day read third time, and concurred in, title and history agreed to, and the said bill is herewith returned to the House:

House Bill No. 1111 introduced by Watt, Marbut, et al

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

MOTIONS

Fasbender moved that the Speaker be authorized to appoint Conference Committees to meet with like committees from the Senate on Senate Amendments to House Bill Nos. 1016 and 1017.

Motion carried.

Fasbender moved that the rules be suspended and that all bills passed on Second Reading be allowed to be considered on Third Reading this day.

Motion carried.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following resolutions were introduced, read first time and referred to committees:

House Resolution No. 81, introduced by Turner, Brown, Lundgren, Jones, R. Harper, Lynch, H. Harper, Bennetts, Bell, Castles, Campbell, Quilici, Lee, Lombardi, Healy: A Resolution of the House of Representatives of the State of Montana concerning the inequities that exist in the cost of living raises granted state employees. Referred to Committee on State Administration.

House Resolution No. 82, introduced by Bell, Healy, Castles, Campbell, Quilici, Johnston, Lynch, Lee, Holmes, Ageson, Lund, Holtz, Tierney, Turner, Lombardi, Ellerd, Menahan, H. Harper: A Resolution of the House of Representatives of the State of Montana requesting the Division of Workmen's Compensation of the Department of Labor and Industry to compile a detailed study of the number and ages of unmarried spouses of deceased silicotics still residing in Montana, and to prepare a cost estimate for continuing silicotic benefits to those spouses. Referred to Committee on Labor and Employment Relations.

SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)

Swanberg moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading under the rules of the previous sitting. Motion carried.

Cox in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

March 12, 1974

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That House Bill No. 221 do pass. (91-0)

Lucas replaces Cox in the Chair.

That House Bill No. 460 do pass. (78-1)

Cox resumes the Chair.

That House Bill No. 566 do pass. (48-34)

That House Bill No. 627 be amended in Section 1, Subsection (1), page 1, lines 21 and 22 by striking the words and figures: "ninety-one thousand five hundred dollars (\$91,500)" and inserting in lieu thereof the words and figures: "one hundred eighty two thousand six hundred and ninety dollars (\$182,690)"; (61-12), and

As amended, do pass. (64-24)

That the committee rise and report and beg leave to sit again.

COX, Chairman

Report adopted.

UNFINISHED BUSINESS

The Speaker appointed the following Conference Committee to meet with a like committee from the Senate on Senate Amendments to House Bill No. 665: Bardanouve, Chairman; Regan and Ulmer.

The Speaker appointed the following New Conference Committee to meet with a like committee from the Senate on Senate Amendments to House Bill No. 694: Greely, Chairman; Schepens and Marbut.

The Speaker appointed the following Conference Committee to meet with a like committee from the Senate on Senate Amendments to House Bill No. 1016: Shelden, Chairman; Schepens and Ainsworth.

The Speaker appointed the following Conference Committee to meet with a like committee from the Senate on Senate Amendments to House Bill No. 1017: Bradley, Chairwoman; Towe and Turman.

Fasbender moved that the House recess until 1:30 p.m.

Motion carried.

House recessed.

House resumed.

Mr. Speaker in the Chair.

Brand and Walborn present at this time.

Galt and Prevost excused at this time.

COMMUNICATIONS AND PETITIONS

The Chief Clerk read a framed resolution presented to Mr. and Mrs. Harold W.

Elledge, Billings, by Mr. Bob Wilson of the California Legislative Assembly, to show his appreciation of the Elledge's help during a blizzard last winter.

REPORT OF STANDING COMMITTEE

March 12, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill correctly printed: House Bill No. 1122.

FLEMING, Vice-Chairman

REPORTS OF SELECT COMMITTEES

Free Joint Conference Report No. 2
House Bill No. 822

Mr. President and Speaker of the House:

We, your Free Joint Conference Committee met February 20, 1974 and considered Senate Committee on Public Health, Welfare and Safety Amendments to House Bill No. 822, dated February 6, and Senate Committee of the Whole Amendments, dated February 9, 1974 and recommend as follows:

That the House accedes to the Senate Committee on Public Health, Welfare and Safety Amendments dated February 6, 1974 to the title, and

That the House accedes to the Senate Committee on Public Health, Welfare and Safety Amendment dated February 6, to Section 1 and the Committee of the Whole Amendment dated February 9, to Section 1, and

That the Senate recedes from its Senate Committee on Public Health, Welfare and Safety Amendments dated February 6 and the Committee of the Whole Amendments dated February 9 to Section 2, and further recommends that the bill be amended as follows:

Amend House Bill No. 822 be striking Section 2 in its entirety and inserting in lieu thereof the following material:

"Section 2. A person who by reasons of physical disability is unable to move about as a pedestrian may operate a self-propelled wheelchair or similar vehicle, during daylight hours, on the streets of a city or town. When operated on public streets, such vehicles must display the slow moving equipment emblem required in Section 32-21-130(1), or be equipped with a windwhip displaying a red flag."

And the House accedes to the Senate Committee of the Whole Amendment dated February 9, to Section 3.

And that House Bill No. 822, as so amended, be concurred in.

FOR THE SENATE:

MCDONALD

HALL

LOWE

FOR THE HOUSE:

DRISCOLL

FLYNN

AAGESON

MESSAGES FROM THE OTHER HOUSE

March 12, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bills were read three several times, and passed, titles and history agreed to, and the said bills are herewith transmitted to the House for concurrence:

Senate Bill No. 531 introduced by Bertsche and Thiessen

Senate Bill No. 532 introduced by Bertsche and Thiessen

Senate Bill No. 533 introduced by Bertsche and Thiessen

Senate Bill No. 734 introduced by Bertsche and Lowe

Senate Bill No. 729 introduced by Sorensen, Moore, et al

Senate Bill No. 739 introduced by Bertsche, Himsl, et al

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

March 11, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was this day read third time, and concurred in as amended, title and history agreed to, and the said bill is herewith returned to the House for concurrence in Senate amendments:

House Bill No. 1011 introduced by Cox and Bardanouve

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

March 11, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day concurred in House Amendment to Senate Bill No. 625 on third reading, roll call vote.

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

MOTIONS

Swanberg moved that the Joint Conference Committee Report on House Bill No. 888 be taken off Second Reading.

Motion carried.

Ulmer moved that Senate Bill No. 264 be taken from the Committee on Taxation and placed on Second Reading. A roll call vote was requested by Ulmer with the Ayes and Nays spread on the Journal. Sufficient seconds arose and the motion failed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Barrett, Brown, Burnett, Campbell, Castles, Clemow, Cox, East, Ellerd, Fagg, Forsgren, Glennen, Hager, Haines, H. Harper, Holtz, Hubing, Jones, Kessner, Kolstad, Kvaalen, Lockrem, Lucas, Lund, Lundgren, Mann, Marbut, Marks, Mercer, Olson, Rolfe, Schye, Selstad, Smith, Tierney, Turman, Turner, Ulmer, Walborn, Warfield. Total 43.

Noes: Baeth, Bardanouve, Baucus, Bennetts, Bradley, Brand, Colberg, Cotton, Driscoll, Edland, Fasbender, Fleming, Flynn, Greely, Gunderson, Hageman, Halvorson, R. Harper, Healy, Hodges, Holmes, Huennekens, Jacobsen, Johnston, Kendall, Kosen, Laas, Lien, Lombardi, Lynch, Manuel, Mehrens, Menahan, Murphy, Quilici, Regan, Roberts, Schepens, Shelden, Staigmillier, Stephens, Stoltz, Swanberg, Towe, Watt, Mr. Speaker. Total 46.

Excused: Galt, Hall, McKittrick, Prevost, Seifert, Zimmer. Total 6.

Absent or not voting: Bell, Kimble, Lee, Norman, Yardley. Total 5.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

March 12, 1974

The following bills and resolutions were introduced, read first time and referred to committees:

House Resolution No. 83, introduced by Gunderson, Shelden, Kendall, Baeth, Stoltz, Warfield: A Resolution of the House of Representatives of the State of Montana requesting the Legislative Council to conduct a study of the rising costs of education, most particularly school administration costs and what effect the states accreditation standards have on such rising costs. Referred to Committee on Education.

House Resolution No. 84, introduced by Edland, Ulmer, Watt, Kimble, Kolstad, Tierney, Towe, Roberts, Lundgren, Swanberg, Yardley, Stephens: A Resolution of the House of Representatives of the State of Montana requesting the Committee on Priorities to assign the appropriate standing committees to study the taxation of new industrial facilities. Referred to Committee on Taxation.

House Resolution No. 85, introduced by Edland, Greely, Mercer, Lien, Gunderson, R. Harper, Hodges: A Resolution of the House of Representatives of the State of Montana requesting the Committee on Priorities to assign the appropriate standing committees to study the liquor laws for the purpose of generally updating and revising such laws. Referred to Committee on Judiciary.

Senate Bill No. 531, introduced by Bertsche, Thiessen: A bill for an act entitled: "An act to appropriate money for capital projects for the biennium ending June 30, 1975; and providing for other matters relating to the appropriations." Referred to Committee on Finance and Claims.

Senate Bill No. 532, introduced by Bertsche, Thiessen: A bill for an act entitled: "An act to appropriate moneys to various state agencies for the biennium ending June 30, 1975; and providing for other matters relating to the appropriations." Referred to Committee on Finance and Claims.

Senate Bill No. 533, introduced by Bertsche, Thiessen: A bill for an act entitled: "An act to appropriate moneys to various state agencies for the biennium ending June 30, 1975; and providing for other matters relating to the appropriations." Referred to Committee on Finance and Claims.

Senate Bill No. 734, introduced by Bertsche, Lowe: A bill for an act entitled: "An act to appropriate money for capital projects for the biennium ending June 30, 1975; providing for other matters relating to the appropriations; and providing an effective date." Referred to Committee on Finance and Claims.

Senate Bill No. 729, introduced by Sorensen, Moore, Bertsche, Hazelbaker: A bill for an act entitled: "An act appropriating four hundred ten thousand eight hundred eighty dollars (\$410,880) to the architecture and engineering construction advance account, revolving fund from the Department of Highways earmarked revenue fund for the construction of a capitol complex motor pool facility." Referred to Committee on Finance and Claims.

Senate Bill No. 739, introduced by Bertsche, Himsl, Thiessen, Turnage, Moore, Mathers: A bill for an act entitled: "An act appropriating money from the general fund to the office of Attorney General of the Department of Justice for prosecutorial purposes for the fiscal years 1974 and 1975." Referred to Committee on Finance and Claims.

SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)

Fasbender moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading under the rules of the previous sitting.

Motion carried.

Cox in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That House Bill No. 747 be amended in Section 12, page 6, line 8 by deleting after the word "fund" the figures "900,000" and inserting in lieu thereof the figures "1,250,000", and

Further amend on page 6, Section 12, line 10 by deleting after the word "fund" the figures "700,000" and inserting in lieu thereof the figures "1,200,000", and

Further amend on page 6, Section 12, line 11 and 12 by deleting these lines in their entirety, and

Further amend on page 6, line 13 by deleting after the word "fund" the figures "85,000" and inserting in lieu thereof the figures "100,000", and

Further amend on page 7, Section 12, line 25 following the word and punctuation "approval." by inserting the following new material: "However, this general state employee salary adjustment is intended in lieu of all forthcoming, broad-based salary increases in the 1975 Biennium." (78-1), and

As amended, do pass. (85-2)

That House Bill No. 748 be amended in Section 12, page 5, following line 19 by inserting the following new material: "Alcohol Services Division

From General Fund -0- 500,000" (77-7), and

Further amend Section 12, page 5, line 19 following the word and punctuation "act." by adding the following new material: "If the federal matching money does not become available, then the total \$100,000 general fund appropriation shall revert. It may not be transferred to another program, nor expended for other purposes." (78-1), and

Further amend Section 12, page 6, after line 5 by inserting the following new material:

"Workmen's Compensation Silicosis Benefits

From General Fund 10,163 48,808cc (82-1), and

Further amend Section 12, page 6, line 11 by omitting the figures "1,184,721" and "4,472,021" and insert in lieu thereof the following figures: "1,034,721" and "4,622,021" (82-1), and

Further amend Section 10, Subsection (5), page 6 by striking the material in lines 12 and 13 in their entirety (53-34), and

Further amend Section 12, page 6, after line 13 by inserting the following new material:

"Forest Management Program
For Evaluation and Study of
Range Management and Alternatives
on State Forest Lands
From General Fund

5,000 10,000" (80-4), and

Galt present at this time.

As amended, do pass. (76-12)

That House Bill No. 760 be amended in Section 5, page 3 by striking lines 12 through 16 and inserting in lieu thereof the words "From the general fund" (50-25), and

As amended, do pass. (48-42)

That the committee rise and report and beg leave to sit again.

COX, Chairman

Report adopted.

REPORTS OF STANDING COMMITTEES

March 12, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills and resolutions correctly enrolled: House Bill No. 478, House Bill No. 672, House Bill No. 859, House Bill No. 910, House Bill No. 967, House Bill No. 980, House Bill No. 1040, House Bill No. 1056, House Bill No. 1081, House Resolution No. 70, House Joint Resolution No. 77.

QUILICI, Chairman

March 12, 1974

The following bills and resolutions will be signed on adjournment on March 12, 1974, in the office of the Speaker of the House of Representatives: House Bill No. 478, House Bill No. 672, House Bill No. 859, House Bill No. 910, House Bill No. 967, House Bill No. 980, House Bill No. 1040, House Bill No. 1056, House Bill No. 1081, House Resolution No. 70, House Joint Resolution No. 77, Senate Bill No. 508, Senate Bill No. 524, Senate Bill No. 545, Senate Bill No. 573, Senate Bill No. 602, Senate Bill No. 678, Senate Bill No. 694, Senate Bill No. 712.

EDWIN A. SMITH, Chief Clerk
House of Representatives

March 12, 1974

I have examined House Bill No. 1040 introduced by me and find the same to be correct.

MENAHAN

March 12, 1974

I have examined House Bill No. 672 introduced by me and find the same to be correct.

R. HARPER

March 12, 1974

I have examined House Bill No. 478 introduced by me and find the same to be correct.

LUND

March 12, 1974

I have examined House Bill No. 980 introduced by me and find the same to be correct.

REGAN

March 12, 1974

I have examined House Bill No. 967 introduced by me and find the same to be correct.

MURPHY

March 12, 1974

I have examined House Resolution No. 70 introduced by me and find the same to be correct.

MURPHY

March 12, 1974

I have examined House Bill No. 1056 introduced by me and find the same to be correct.

LUCAS

March 12, 1974

I have examined House Bill No. 859 introduced by me and find the same to be correct.

MENAHAN

March 12, 1974

I have examined House Bill No. 1081 introduced by me and find the same to be correct.

DRISCOLL

March 12, 1974

I have examined House Joint Resolution No. 77 introduced by me and find the same to be correct.

KOSENA

March 12, 1974

I have examined House Bill No. 910 introduced by me and find the same to be correct.

HAINES

March 12, 1974

Mr. Speaker: We, your Committee on Finance and Claims, having had under consideration House Bill No. 1126, respectfully report as follows: That House Bill No. 1126 do pass.

BARDANOUE, Chairman

Report adopted.

March 12, 1974

Mr. Speaker: We, your Committee on Finance and Claims, having had under consideration House Bill No. 1129, respectfully report as follows: That House Bill No. 1129 do pass.

BARDANOUE, Chairman

Report adopted.

March 12, 1974

Mr. Speaker: We, your Committee on Natural Resources, having had under consideration House Resolution No. 74, respectfully report as follows: That House Resolution No. 74 be adopted.

SHELDEN, Chairman

Report adopted.

REPORTS OF SELECT COMMITTEES

March 12, 1974

Joint Conference Committee Report House Amendments to Senate Bill No. 626

Mr. President and Speaker of the House:

We, your Joint Conference Committee on House Amendments to Senate Bill No. 626, beg leave to report as follows:

That we met this day and considered House Committee on State Administration Amendments to Senate Bill No. 626, dated March 6 and March 7, 1974. This Joint Conference Committee recommends as follows:

That the Senate accede to the House Amendments to Senate Bill No. 626;

And that Senate Bill No. 626 as so amended, be concurred in.

FOR THE SENATE:

JAMES

DRAKE

BERTSCHE

FOR THE HOUSE:

FLYNN

MENAHAN

ULMER

March 12, 1974

Joint Conference Committee Report
Senate Amendments to House Bill No. 556

Mr. President and Speaker of the House:

We, your Joint Senate and House Conference Committee met March 11, 1974, and considered the Senate Committee on Local Government Amendment to House Bill No. 556 dated March 1, 1974, and the Senate Committee of the Whole Amendment to House Bill No. 556 dated March 6, 1974 and recommend as follows:

That the Senate recede from its amendments dated March 1, 1974, to Section 5, page 6, line 13 of Subsection 3(e) of the House Bill No. 556, and

That the House accede to Senate Amendments dated March 1, 1974 to House Bill No. 556, Section 6(2)(B), line 13 and Section 6(2)(3) line 16, page 7, and

That the House accede to the Senate Amendment dated March 1, 1974 amending Section 6, following line 16 by adding a new Subsection (d) to House Bill No. 556, and

That the House accede to Senate Amendments of House Bill No. 556, dated March 6, 1974 amending Section 7, page 11, following line 12 by inserting a new Subsection (8), and

That the Senate recede from the Senate Amendments dated March 6, 1974 amending Section 9, page 12, line 21, and

That House Bill No. 556, as amended, be concurred in.

FOR THE SENATE:

THIESSEN

TURNAGE

BOLLINGER

FOR THE HOUSE:

SWANBERG

FAGG

MEHRENS

MESSAGES FROM THE OTHER HOUSE

March 11, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bill and Senate Joint Resolution were this day read three several times, and passed, titles and history agreed to, and the said bill and resolution are herewith transmitted to the House for concurrence:

Senate Bill No. 738 introduced by Manning

Senate Joint Resolution No. 70 introduced by Siderius, Harrison, et al

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

March 12, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was this day read third time, and concurred in, title and history agreed to, and the said bill is herewith returned to the House:

House Bill No. 657 introduced by Greely

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

March 12, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day read three several times, and passed, title and history agreed to, and the said bills are herewith transmitted to the House for concurrence:

Senate Bill No. 629 introduced by Thiessen and Zody

Senate Bill No. 742 introduced by Graham

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

March 12, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Joint Conference Committee Reports were adopted on third reading, roll call vote, this day:

Conference Committee Report on Senate Amendments to House Bill No. 586

Conference Committee Report on Senate Amendments to House Bill No. 670

Conference Committee Report on Senate Amendments to House Bill No. 774.

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

March 12, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day on third reading, roll call vote, concurred in the following House amendments to Senate Bills:

House Amendments to Senate Bill No. 266

House Amendments to Senate Bill No. 718

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

March 12, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Free Conference Committee Reports were adopted on third reading, roll call vote, this day:

Free Conference Committee on House Bill No. 86

Free Conference Committee on House Bill No. 822

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

March 12, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate acceded to the request of the House, and authorized the President to appoint a Conference Committee to meet with a like committee from the House to confer on Senate Amendments to House Bill No. 665.

The President appointed the following members:

Senator James, Chairman
Senator Hazelbaker
Senator Shea

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

MOTIONS

Fasbender moved that the Conference Committee on House Bill No. 694 be dissolved and that a New Free Conference Committee be appointed.

Motion carried.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following bills were introduced, read first time and referred to committees:

Senate Bill No. 629, introduced by Thiessen, Zody: A bill for an act entitled: "An act appropriating money to Wibaux County, a political subdivision of the State of Montana, and contribution to the Wibaux County fish pond and recreation project in Wibaux County, Montana; and prohibiting expenditure of such money until all funds necessary for completion of project are available and committed." Referred to Committee on Finance and Claims.

Senate Bill No. 742, introduced by Graham: A bill for an act entitled: "An act appropriating fifteen thousand dollars (\$15,000) from the general fund to the Legislative Council for the purpose of updating the statutory information retrieval system data base following the close of the 1974 session of the Montana Legislature." Referred to Committee on Finance and Claims.

House Resolution No. 86, introduced by R. Harper, Baucus, Colberg: A Resolution of the House of Representatives of the State of Montana requesting the Department of Intergovernmental Relations to study the feasibility of reducing mass transit fares for the elderly and persons on low incomes. Referred to Committee on Highways.

House Resolution No. 87, introduced by Towe, Greely, Yardley, Bennetts, Marbut, H. Harper, Brown: A Resolution of the House of Representatives of the State of Montana requesting the priorities Committee to direct the appropriate standing committee to conduct a study of Article 2, Sections 8, 9, and 10 (right to participate, right to know, and right of privacy) and the respective bills presented in the 1974 session for implementing said provisions and to make recommendations for presentation to the next session of the Montana Legislature. Referred to Committee on Judiciary.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

Prevost present at this time.

Senate Bill No. 733 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Bardanouve, Barrett, Bell, Bradley, Brown, Campbell, Clemow, Cotton, Driscoll, Ellerd, Fagg, Fasbender, Fleming, Forsgren, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Mann, Manuel, Marbut, Marks, Menahan, Mercer, Murphy, Olson, Prevost, Regan, Roberts, Schepens, Shelden, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Warfield, Watt, Yardley, Mr. Speaker. Total 71.

Noes: Burnett, Galt, Holtz, Rolfe, Smith, Ulmer, Walborn. Total 7.

Excused: Hall, McKittrick, Seifert, Zimmer. Total 4.

Absent or not voting: Baeth, Baucus, Bennetts, Brand, Castles, Colberg, Cox, East, Edland, Flynn, Kimble, Lundgren, Lynch, Mehrens, Norman, Quilici, Schye, Selstad. Total 18.

Senate Amendments to House Bill No. 360 were concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lynch, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 93.

Noes: None.

Excused: Hall, McKittrick, Seifert, Zimmer. Total 4.

Absent or not voting: East, Edland, Lundgren. Total 3.

Senate Amendments to House Bill No. 918 were concurred in by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lynch, Mann, Manuel, Marbut, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 91.

Noes: Hubing, Marks. Total 2.

Excused: Hall, McKittrick, Seifert, Zimmer. Total 4.

Absent or not voting: Ainsworth, Lundgren, Turner. Total 3.

Senate Amendments to House Bill No. 971 were concurred in by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper,

Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lombardi, Lucas, Lund, Lynch, Mann, Marbut, Marks, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Staigmilller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Warfield, Watt, Yardley, Mr. Speaker. Total 83.

Noes: Lockrem, Smith, Turner, Ulmer, Walborn. Total 5.

Excused: Hall, McKittrick, Seifert, Zimmer. Total 4.

Absent or not voting: Ainsworth, East, Galt, Lundgren, Manuel, Mercer, Selstad, Shelden. Total 8.

Senate Amendments to House Bill No. 1032 were concurred in by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Baucus, Bradley, Brand, Brown, Colberg, Cotton, Driscoll, Edland, Fagg, Fasbender, Fleming, Flynn, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Jones, Kendall, Kimble, Kosena, Laas, Lee, Lien, Lombardi, Lucas, Lynch, Marbut, Mehrens, Menahan, Murphy, Norman, Olson, Quilici, Regan, Roberts, Schepens, Shelden, Staigmilller, Stephens, Stoltz, Tierney, Towe, Turman, Warfield, Watt, Yardley, Mr. Speaker. Total 60.

Noes: Burnett, Castles, Clemow, Cox, East, Ellerd, Forsgren, Galt, Glennen, Holtz, Johnston, Kessner, Kolstad, Kvaalen, Lockrem, Lund, Mann, Manuel, Marks, Mercer, Prevost, Rolfe, Schye, Selstad, Smith, Swanberg, Turner, Ulmer, Walborn. Total 29.

Excused: Hall, McKittrick, Seifert, Zimmer. Total 4.

Absent or not voting: Ainsworth, Bardanouve, Barrett, Bell, Bennetts, Campbell, Lundgren. Total 7.

House Bill No. 221 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lynch, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Selstad, Shelden, Smith, Staigmilller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 94.

Noes: None.

Excused: Hall, McKittrick, Seifert, Zimmer. Total 4.

Absent or not voting: Bardanouve, Lundgren. Total 2.

House Bill No. 460 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Brand, Brown, Campbell, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lynch, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Shelden, Smith, Staigmilller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 88.

Noes: Bradley, Burnett, Murphy, Selstad. Total 4.

Excused: Hall, McKittrick, Seifert, Zimmer. Total 4.

Absent or not voting: Castles, Hodges, Holmes, Lundgren. Total 4.

House Bill No. 566 was passed by the following vote:

Ayes: Asbjornson, Baeth, Bardanouve, Bennetts, Bradley, Brand, Campbell, Castles, Clemow, Colberg, Cotton, Driscoll, Edland, Fagg, Fasbender, Fleming, Glennen, Greely, Gunderson, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Huennekens, Jacobsen, Johnston, Kendall, Kimble, Kosena, Laas, Lee, Lynch, Manuel, Marbut, Mehrens, Murphy, Norman, Quilici, Regan, Roberts, Schepens, Shelden, Staigmilller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Watt, Yardley, Mr. Speaker. Total 55.

Noes: Aageson, Barrett, Baucus, Bell, Brown, Burnett, Cox, East, Ellerd, Flynn, Forsgren, Galt, Hageman, Hager, Holtz, Hubing, Jones, Kessner, Kolstad, Kvaalen, Lien, Lockrem, Lombardi, Lucas, Lund, Mann, Marks, Menahan, Mercer, Olson, Prevost, Rolfe, Schye, Selstad, Smith, Turner, Ulmer, Walborn, Warfield. Total 39.

Excused: Hall, McKittrick, Seifert, Zimmer. Total 4.

Absent or not voting: Ainsworth, Lundgren. Total 2.

House Bill No. 627 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Campbell, Castles, Cotton, Cox, East, Edland, Fagg, Fasbender, Fleming, Flynn, Forsgren, Glennen, Haines, R. Harper, Healy, Hodges, Holtz, Hubing, Huennekens, Jacobsen, Kendall, Kolstad, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lynch, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Schepens, Smith, Swanberg, Towe, Turman, Ulmer, Walborn, Watt, Mr. Speaker. Total 59.

Noes: Baeth, Bardanouve, Brown, Burnett, Clemow, Colberg, Driscoll, Ellerd, Galt, Greely, Hageman, Hager, H. Harper, Holmes, Johnston, Jones, Kessner, Kimble, Kosena, Mann, Manuel, Regan, Roberts, Rolfe, Schye, Selstad, Shelden, Staigmilller, Stephens, Stoltz, Tierney, Turner, Warfield, Yardley. Total 34.

Excused: Hall, McKittrick, Seifert, Zimmer. Total 4.

Absent or not voting: Gunderson, Halvorson, Lundgren. Total 3.

House Bill No. 747 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lynch, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Shelden, Staigmilller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Warfield, Watt, Yardley, Mr. Speaker. Total 88.

Noes: Burnett, Gunderson, Selstad, Smith, Ulmer, Walborn. Total 6.

Excused: Hall, McKittrick, Seifert, Zimmer. Total 4.

Absent or not voting: Lundgren, Norman. Total 2.

House Bill No. 748 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Huennekens, Jacobsen, Johnston, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lynch, Mann, Manuel, Marbut, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Schepens, Shelden, Staigmilller,

Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 84.

Noes: Bell, Burnett, Galt, Hubing, Jones, Marks, Rolfe, Schye, Selstad, Smith, Ulmer. Total 11.

Excused: Hall, McKittrick, Seifert, Zimmer. Total 4.

Absent or not voting: Lundgren. Total 1.

House Bill No. 760 was passed by the following vote:

Ayes: Bell, Brown, Burnett, Campbell, Castles, Clemow, East, Edland, Fagg, Fleming, Forsgren, Galt, Gunderson, Hageman, Hager, H. Harper, R. Harper, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kvaalen, Lien, Lockrem, Lucas, Lund, Manuel, Marbut, Marks, Mercer, Norman, Olson, Prevost, Schepens, Schye, Smith, Stephens, Stoltz, Tierney, Towe, Turner, Ulmer, Walborn, Warfield, Watt. Total 47.

Noes: Aageson, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bennetts, Bradley, Cotton, Cox, Driscoll, Ellerd, Fasbender, Flynn, Glennen, Greely, Haines, Halvorson, Healy, Hodges, Holmes, Kendall, Kessner, Kolstad, Kosena, Laas, Lee, Lombardi, Lynch, Mann, Mehrens, Menahan, Murphy, Quilici, Regan, Roberts, Rolfe, Selstad, Shelden, Staigmiller, Swanberg, Turman, Yardley, Mr. Speaker. Total 44.

Excused: Hall, McKittrick, Seifert, Zimmer. Total 4.

Absent or not voting: Ainsworth, Brand, Colberg, Kimble, Lundgren. Total 5.

MOTIONS

Lee moved that the Conference Committee on Senate Bill No. 642 be dissolved.

Motion carried.

Lee moved that the Speaker be authorized to appoint a New Free Conference Committee to meet with a like committee from the Senate on Senate Bill No. 642.

Motion carried.

Fasbender moved that the House recess until 5:00 p.m.

Motion carried.

House recessed.

COMMUNICATIONS AND PETITIONS

House resumed.

Mr. Speaker in the Chair.

The Speaker appointed the following New Free Conference Committee to meet with a like committee from the Senate on Senate Amendments to House Bill No. 694: Greely, Chairman; Schepens and Marbut.

The Speaker appointed the following New Free Conference Committee to meet with a like committee from the Senate on Senate Bill No. 642: Lee, Chairman; Kimble and Bell.

REPORT OF STANDING COMMITTEE

March 12, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills and resolution correctly printed: House Resolution No. 74, House Bill No. 1126, House Bill No. 1129.

QUILICI, Chairman

REPORT OF SELECT COMMITTEE

March 12, 1974

Free Joint Conference Committee Report
House Bill No. 694

Mr. President and Speaker of the House:

We, your Free Joint Conference Committee on House Bill No. 694 beg leave to report as follows:

That we met this day and considered Senate Committee on State Administration amendments dated February 22, 1974, to House Bill No. 694, and Senate Committee of the Whole amendments to House Bill No. 694 dated March 2, 1974, and recommend as follows:

That the House accede to the Senate Amendment following line 11, on page 1, and

That the House accede to the Senate Amendment to Section 2, page 2, line 1, and

That the House accede to the Senate Amendment to Section 2, page 2, line 13, and

That the Senate recede from the Senate Amendment to Section 2, page 2, line 16, and

That the House accede to the Senate Amendment to Section 3, page 3, following line 1, and

That the Senate^A recede from its committee on State Administration amendment dated February 22, 1974 to Section 4 and its Committee of the Whole amendment dated March 2, 1974, to Section 4, and

The Joint Conference Committee further recommends the bill be amended as follows: Strike all of Section 4, page 3, lines 2 through 20, in its entirety, and renumber the remaining sections accordingly, and

That the Senate recede from the Senate Amendment to Section 6, Subsection (7), page 5, beginning on line 11, and

That the House accede to the Senate Amendment to Section 6, Subsection (7), page 5, line 11, following the word "from" by inserting the following words "or on behalf of", and

That the House accede to the Senate Amendment to Section 6, Subsection (7), page 5, line 17, and

That the House accede to the Senate Amendment to Section 7, page 5, line 23, and

That the House accede to the Senate Amendment to Section 8, page 6, lines 15 through 16, and

That House Bill No. 694, as amended, be concurred in.

FOR THE SENATE:

GRAHAM

TURNAGE

THIESSEN

FOR THE HOUSE:

GREELY

MARBUT

SCHEPENS

Report adopted.

MESSAGES FROM THE OTHER HOUSE

March 12, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day acceded to the request of the House, and authorized the President to appoint

a Conference Committee to meet with a like committee of the House to confer on Senate Amendments to House Bill No. 1016.

The President appointed the following members:

Senator McKeon, Chairman
Senator Romney
Senator Turnage

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

March 12, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day acceded to the request of the House, and authorized the President to appoint a Conference Committee to meet with a like committee of the House to confer on Senate Amendments to House Bill No. 1017.

The President appointed the following members:

Senator McKeon, Chairman
Senator Romney
Senator Turnage

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

March 12, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day on motion, duly carried, dissolved the Conference Committee on House Amendments to Senate Bill No. 642, and the President was authorized to appoint a new Free Conference Committee and respectfully requests the House to appoint a Free committee to confer on Senate Bill No. 642.

The President appointed the following members:

Senator Siderius, Chairman
Senator Bennett
Senator James

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

March 12, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day on motion, duly carried, dissolved the Conference Committee on Senate Amendments to House Bill No. 694, and the President was authorized to appoint a new Free Conference Committee, and respectfully requests the House to appoint a Free Conference Committee to confer on House Bill No. 694.

The President appointed the following members:

Senator Graham, Chairman
Senator Turnage

Senator Thiessen

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

MOTIONS

Fasbender moved that the rules be suspended and that Senate Bill No. 738 be received in the House for introduction.

Motion failed.

Fasbender moved that the rules be suspended and that Senate Joint Resolution No. 70 be received in the House for introduction.

Motion carried.

Fasbender moved that the Free Joint Conference Committee Report on House Bill No. 694 be placed on Second Reading for consideration this day.

Motion carried.

REPORT OF STANDING COMMITTEE

March 12, 1974

Mr. Speaker: We, your Committee on Highways and Transportation, having had under consideration Senate Bill No. 743, respectfully report as follows: That Senate Bill No. 743 be concurred in.

LAAS, Chairman

Report adopted.

MESSAGES FROM THE GOVERNOR

March 12, 1974

Honorable Harold Gerke
Speaker of the House of Representatives
Capitol
Helena, Montana

Dear Mr. Speaker:

I have the honor to inform you that I have this day approved the following measures:

House Bills Nos.: 607, 671, 739, 801, 806, 843, 848, 852, 907, 920, 1069 and 1082.

Sincerely,

THOMAS L. JUDGE
Governor

cc: Honorable Gordon McOmber

March 12, 1974

Honorable Gordon McOmber
President of the Senate
Capitol
Helena, Montana

Dear President McOmber:

I have the honor to inform you that I have this day approved the following measures:

Senate Bills Nos.: 240, 479, 530, 574, 577, 604, 639, 648, 669, 676, and 732.

Sincerely,

THOMAS L. JUDGE
Governor

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following bill and resolution were introduced, read first time and referred to committees:

Senate Joint Resolution No. 70, introduced by Siderius, Harrison, Bertsche, Moore: A Joint Resolution of the Senate and the House of Representatives of the State of Montana directing that select committees of the Senate and the House of Representatives study all aspects of the Workmen's Compensation Act, draft proposed legislation and report its findings and recommendations to the First Regular Session of the Forty-fourth Legislature. Referred to Committee on Labor and Employment Relations.

House Bill No. 1132, introduced by Towe, Bardanouve, Bennetts, Baucus, Huennekens, R. Harper, Holmes, Gunderson, Kimble, Watt: A bill for an act entitled: "An act to create a blue ribbon commission on state institutions to report the long range needs of the institutions in Montana and appropriating one hundred thousand dollars (\$100,000) therefor." Referred to Committee on Finance and Claims.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Swanberg moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading under the rules of the previous sitting.

Motion carried.

Swanberg replaces Cox in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

That House Bill No. 1121 be amended in the title, page 1, line 10 following the word "commissions" by inserting the following new material: "; and providing for an immediate effective date" (84-1), and

As amended, do pass. (85-1)

Cox resumes the Chair.

That House Bill No. 1128 do pass. (83-5)

That Senate Bill No. 554 be passed to the bottom of the board.

That Senate Bill No. 622 be concurred in. (79-4)

That Senate Amendments to House Bill No. 909 be concurred in. (77-12)

That Senate Amendments to House Bills Nos. 1010, 1048, 1050, 1052, 1053, 1101, 1119 and Senate Amendments to House Joint Resolution No. 73 be passed to the bottom of the board.

That the Free Joint Conference Committee Report on House Bill No. 86 be adopted. (87-1)

That the Joint Conference Committee Report on House Bill No. 670 be adopted. (85-1)

That the Joint Conference Committee Report on House Bill No. 774 be adopted. (83-0)

That the Joint Conference Committee Report on House Bill No. 879 be adopted. (76-8)

That the Joint Conference Committee Report on House Bill No. 1073 be adopted. (73-11)

That the Joint Conference Committee Report on Senate Bill No. 568 be adopted. (86-0)

That the Joint Conference Committee Report on Senate Bill No. 579 be adopted. (79-9)

That the Joint Conference Committee Report on House Bill No. 694 be adopted. (81-3)

That the committee rise and report.

COX, Chairman

Report adopted.

REPORT OF STANDING COMMITTEE

March 12, 1974

Mr. Speaker: We, your Committee on Finance and Claims, having had under consideration House Bill No. 1125, respectfully report as follows: That House Bill No. 1125 do pass.

BARDANOUE, Chairman

Report adopted.

REPORT OF SELECT COMMITTEE

March 12, 1974

Free Joint Conference Committee Report
Senate Bill No. 642

Mr. President and Speaker of the House:

We, your Free Joint Conference Committee on Senate Bill No. 642, beg leave to report as follows:

That we met this day and considered Senate Bill No. 642, and the Free Joint Conference Committee recommends as follows:

That the House recede from the House Committee on Labor and Employment Amendments to Senate Bill No. 642, dated March 6, 1974, and from the House Committee of the Whole Amendments to Senate Bill No. 642, dated March 7, and the Free Joint Conference Committee recommends the bill be amended as follows:

Amend the third reading copy of the bill, page 2, line 3 by inserting a new Section 2 to read as follows:

"Section 2. Application of act. The provision of this act apply prospectively only. Provided however, that the division of workmen's compensation of the department of labor shall pay to any widow, widower or beneficiary who did or shall become eligible for compensation for injury causing death after June 30, 1973, and before July 1, 1974, such sum or sums necessary to bring the total amount of compensation paid or to be paid as long as such person has, or remains eligible for compensation, to the amount such person would have received without the reduction for benefits granted by the Social Security Act. The division of workmen's compensation of the department of labor shall pay such sums in a lump sum as to compensation periods past and bi-weekly as to compensation to become due and from a special fund appropriated for this purpose."

And that Senate Bill No. 642, as so amended, be concurred in.

FOR THE SENATE:

SIDERIUS

BENNETT

JAMES

FOR THE HOUSE:

LEE

BELL

KIMBLE

MESSAGE FROM THE OTHER HOUSE

March 12, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day on Committee Reports, not concurred in, reports adopted, and the said bills are herewith returned to the House:

House Bill No. 620 introduced by Bardanouve

House Bill No. 1084 introduced by Yardley

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 1121 was passed by the following vote:

Ayes: Ageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Huennekens, Jacobsen, Kendall, Kimble, Kolstad, Kosena, Lee, Lockrem, Lombardi, Lund, Lynch, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Shelden, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 81.

Noes: Brand, East, Hubing, Johnston, Kessner, Selstad, Smith. Total 7.

Excused: Hall, McKittrick, Seifert, Zimmer. Total 4.

Absent or not voting: Burnett, Holtz, Jones, Kvaalen, Laas, Lien, Lucas, Lundgren. Total 8.

House Bill No. 1128 was passed by the following vote:

Ayes: Ageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Kendall, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lockrem, Lombardi, Lund, Lynch, Mann, Manuel, Marbut, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Shelden, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 84.

Noes: Brand, Burnett, Jones, Kessner, Selstad, Smith. Total 6.

Excused: Hall, McKittrick, Seifert, Zimmer. Total 4.

Absent or not voting: Hager, Holtz, Lien, Lucas, Lundgren, Marks. Total 6.

The Joint Conference Committee Report on House Bill No. 86 was adopted by the following vote:

Ayes: Ageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lockrem, Lombardi, Lund, Lynch, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Rolfe, Schepens, Schye, Selstad, Shelden, Staigmiller, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 87.

Noes: Brand, Stephens. Total 2.

Excused: Hall, McKittrick, Seifert, Zimmer. Total 4.

Absent or not voting: Holtz, Hubing, Lien, Lucas, Lundgren, Roberts, Smith. Total 7.

The Joint Conference Committee Report on House Bill No. 670 was adopted by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lund, Lynch, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Selstad, Shelden, Smith, Staigmilller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 92.

Noes: None.

Excused: Hall, McKittrick, Seifert, Zimmer. Total 4.

Absent or not voting: Fasbender, Holtz, Lucas, Lundgren. Total 4.

The Joint Conference Committee Report on House Bill No. 774 was adopted by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lombardi, Lund, Lynch, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Shelden, Smith, Staigmilller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 89.

Noes: Lockrem, Norman, Selstad. Total 3.

Excused: Hall, McKittrick, Seifert, Zimmer. Total 4.

Absent or not voting: Hageman, Holtz, Lucas, Lundgren. Total 4.

The Joint Conference Committee Report on House Bill No. 879 was adopted by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Barrett, Baucus, Bell, Bennetts, Bradley, Brown, Burnett, Campbell, Castles, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Glennen, Hageman, Hager, Haines, Halvorson, H. Harper, Healy, Holmes, Hubing, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lund, Lynch, Mann, Manuel, Marks, Mehrens, Menahan, Mercer, Murphy, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Selstad, Shelden, Smith, Staigmilller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Mr. Speaker. Total 80.

Noes: Bardanouve, Brand, Clemow, Greely, Gunderson, R. Harper, Hodges, Huennekens, Marbut, Norman, Yardley. Total 11.

Excused: Hall, McKittrick, Seifert, Zimmer. Total 4.

Absent or not voting: Galt, Holtz, Lucas, Lundgren, Watt. Total 5.

The Joint Conference Committee Report on House Bill No. 1073 was adopted by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Barrett, Baucus, Bell, Bennetts, Bradley, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Johnston, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lockrem, Lombardi, Lund, Lynch, Mann, Manuel, Marks, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Selstad, Shelden, Smith, Staigmillar, Stephens, Stoltz, Swanberg, Tierney, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 82.

Noes: Bardanouve, Brand, Burnett, H. Harper, Jacobsen, Jones, Lien, Marbut. Total 8.

Excused: Hall, McKittrick, Seifert, Zimmer. Total 4.

Absent or not voting: East, Holtz, Lucas, Lundgren, Mehrens, Towe. Total 6.

The Joint Conference Committee Report on Senate Bill No. 568 was adopted by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Cotton, Cox, Driscoll, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Laas, Lee, Lien, Lockrem, Lombardi, Lund, Lynch, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Selstad, Shelden, Smith, Staigmillar, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 90.

Noes: Kvaalen. Total 1.

Excused: Hall, McKittrick, Seifert, Zimmer. Total 4.

Absent or not voting: Colberg, East, Holtz, Lucas, Lundgren. Total 5.

The Joint Conference Committee Report on Senate Bill No. 579 was adopted by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Cotton, Cox, Driscoll, Ellerd, Fagg, Fasbender, Fleming, Flynn, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Huennekens, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Laas, Lee, Lombardi, Lynch, Mann, Manuel, Marbut, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Schepens, Schye, Selstad, Shelden, Smith, Staigmillar, Stephens, Stoltz, Swanberg, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 80.

Noes: Edland, Forsgren, Jacobsen, Kvaalen, Lien, Lockrem, Lund, Rolfe, Tierney. Total 9.

Excused: Hall, McKittrick, Seifert, Zimmer. Total 4.

Absent or not voting: Colberg, East, Holtz, Hubing, Lucas, Lundgren, Marks. Total 7.

The Joint Conference Committee Report on House Bill No. 694 was adopted by the following vote:

Ayes: Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Driscoll, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lund,

Lynch, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Prevost, Quilici, Roberts, Rolfe, Schepens, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Mr. Speaker. Total 83.

Noes: Aageson, Cox, Greely, Kolstad, Regan, Tierney. Total 6.

Excused: Hall, McKittrick, Seifert, Zimmer. Total 4.

Absent or not voting: East, Holtz, Lucas, Lundgren, Olson, Schye, Yardley. Total 7.

Fasbender moved that the House adjourn until 9:00 a.m., March 13, 1974.

Motion carried.

House adjourned.

HAROLD E. GERKE, Speaker

EDWIN A. SMITH, Chief Clerk

FIFTY-SEVENTH LEGISLATIVE DAY

Helena, Montana
March 13, 1974

House Chambers
Capitol Building

House convened at 9:00 a.m., Mr. Speaker in the Chair.

Invocation by Father Richard Sodja.

Pledge of Allegiance to the Flag.

Roll call. All members present except Hall, Lundgren, McKittrick, Seifert and Zimmer, all excused.

Quorum present.

Mr. Speaker: We, your Committee on Bills and Journal, having examined the daily journal for the Fifty-sixth Legislative Day, find the same to be correct.

QUILICI, Chairman

REPORTS OF STANDING COMMITTEES

March 12, 1974

I have examined House Bill No. 193 introduced by me and find the same to be correct.

FAGG

March 12, 1974

I have examined House Joint Resolution No. 62 introduced by me and find the same to be correct.

BAUCUS

March 12, 1974

I have examined House Bill No. 864 introduced by me and find the same to be correct.

MENAHAN

March 12, 1974

I have examined House Bill No. 1034 introduced by me and find the same to be correct.

BARRETT

March 13, 1974

The following bills and resolutions were signed in the office of the Speaker of the House of Representatives on March 12, 1974: House Bill No. 478, House Bill No. 672, House Bill No. 859, House Bill No. 910, House Bill No. 967, House Bill No. 980, House Bill No. 1040, House Bill No. 1056, House Bill No. 1081, House Resolution No. 70, House Joint Resolution No. 77, Senate Bill No. 508, Senate Bill No. 524, Senate Bill No. 545, Senate Bill No. 573, Senate Bill No. 602, Senate Bill No. 678, Senate Bill No. 694, Senate Bill No. 712.

EDWIN A. SMITH, Chief Clerk
House of Representatives

MESSAGE FROM THE GOVERNOR

March 12, 1974

The Honorable Harold Gerke
Speaker of the House of Representatives
State Capitol
Helena, Montana 59601

The Honorable Gordon McOmber
President of the Senate
State Capitol
Helena, Montana 59601

Gentlemen:

In exercising the constitutional powers granted me as the Governor of Montana, I hereby veto House Bill 1026, "An act to amend Sections 40-4405 and 40-4415, R.C.M. 1947, relating to the notice requirements for cancellation of auto liability and fire insurance policies." I exercise this veto for the following reason.

Sections 40-4405 and 40-4415 provide that an insurer may not cancel an automobile liability insurance policy or a fire insurance policy until the insurer has given the insured thirty days' notice in writing. House Bill 1026 would amend these two sections of state law by specifying that the thirty day notice requirement would not apply where the insured fails to pay the policy premium. Thus, in situations where the insured inadvertently forgot to pay a monthly premium, the fire insurance policy or the auto liability insurance policy could be cancelled without notice and the insured would be without insurance coverage. In other words, the proposed amendment to the two sections of law contained in House Bill 1026 makes no distinction between a person who simply refuses to pay his insurance premium and a person who inadvertently forgets to pay a premium and thereby loses insurance coverage without ever receiving notice from the insurer. I believe that the consumers of Montana are entitled to receive appropriate notice in all cancellation situations.

The proposed amendments to sections 40-4405 and 40-4415 are untenable because of the impact that these amendments would have on most Montana consumers. Most of us have several separate fire and auto liability insurance policies. Furthermore, each of us at one time or another has forgotten to make a monthly payment. If I were to sign House Bill 1026 into law, every person who inadvertently forgot to make a monthly payment could have his or her insurance policy cancelled without notice. Thus, if in forgetting to make a payment an individual has an auto accident a day after the payment is due, he would not be able to recover under the provisions of his auto liability policy simply because section 40-4405, as amended, provides for cancellation without notice. This should not be permitted to occur in situations where a consumer has simply forgotten or neglected through inadvertence to make a monthly premium payment.

The average Montana consumer depends upon auto liability insurance and fire insurance coverage to protect himself from financial disaster. House Bill 1026 would deprive every consumer of that protection if his auto liability and fire insurance policy could be cancelled without notice simply because he missed a monthly payment. I do not believe that the thirty day notice requirement contained in these two provisions of state law places an undue burden on the insurance companies

doing business in the State of Montana. Therefore, I return House Bill 1026 without my signature and ask that my veto be sustained.

Sincerely,

THOMAS L. JUDGE
Governor

MESSAGES FROM THE OTHER HOUSE

March 12, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was this day on Committee of the Whole, indefinitely postponed, report adopted, and the said bill is herewith returned to the House:

House Bill No. 969 introduced by Fagg, H. Harper, et al

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

March 12, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day, on Committee of the Whole, failed to concur in the Conference Committee Report on House Amendments to Senate Bill No. 459.

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

MOTIONS

Gunderson moved that the Joint Conference Committee on Senate Amendments to House Bill No. 755 be dissolved and that a new committee be appointed.

Motion carried.

The Speaker appointed the following New Joint Conference Committee to meet with a like committee from the Senate on Senate Amendments to House Bill No. 755: Gunderson, Chairman; Stephens and Turman.

Lucas moved that the following resolution be allowed for introduction, considered read and adopted:

HOUSE RESOLUTION NO. 88

INTRODUCED BY LUCAS, FASBENDER

A RESOLUTION OF THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA INFORMING THE MONTANA CONGRESSIONAL DELEGATION AND APPROPRIATE FEDERAL AGENCIES, OF THE INTEREST OF MONTANA IN LONG RANGE COMPREHENSIVE PLANNING FOR THE DEVELOPMENT OF ENERGY AND OTHER RESOURCES.

WHEREAS, Montana is entering into a period of unprecedented development of its natural resources, which will have a far reaching influence upon the quality of life in the state, and in the surrounding region, and

WHEREAS, there is a need to develop and maintain mechanisms to assure the development of coal and other natural resources in a proper, environmentally sound, and socially compatible manner, and

WHEREAS, the gathering and coordination of social, economic, and environ-

mental information, on a regional basis, is essential for intelligent planning and development, and must be undertaken, immediately in advance of large scale development.

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

That the Federal Energy Commission be requested and urged to initiate regional planning programs which will determine and identify the social, economic, and environmental impact of energy and resource development in Montana and adjacent states.

BE IT FURTHER RESOLVED, that a copy of this resolution be sent to the Montana Congressional delegation soliciting their support for such regional research proposals."

Motion carried. (73-0)

Ellerd excused at this time.

Lucas moved that the House accede to the Senate Amendments to House Bill No. 888.

As a substitute motion, Regan moved that the House not accede to the Senate Amendments to House Bill No. 888.

Motion carried.

Lee moved that the Conference Committee Report on Senate Bill No. 642 be returned to the Conference Committee.

Motion carried.

REPORTS OF STANDING COMMITTEES

March 12, 1974

Mr. Speaker: We, your Committee on Finance and Claims, having had under consideration House Bill No. 931, respectfully report as follows: That House Bill No. 931 do pass.

BARDANOUE, Chairman

Report adopted.

March 12, 1974

Mr. Speaker: We, your Committee on Agriculture, Livestock and Irrigation, having had under consideration House Resolution No. 72, respectfully report as follows: That House Resolution No. 72 be adopted.

FLEMING, Chairman

Report adopted.

March 12, 1974

Mr. Speaker: We, your Committee on Agriculture, Livestock and Irrigation, having had under consideration House Resolution No. 75, respectfully report as follows: That House Resolution No. 75 be adopted.

FLEMING, Chairman

Report adopted.

March 12, 1974

Mr. Speaker: We, your Committee on Agriculture, Livestock and Irrigation, having had under consideration House Resolution No. 76, respectfully report as follows: That House Resolution No. 76 be adopted.

FLEMING, Chairman

Report adopted.

MOTIONS

Fasbender moved that the Senate Amendments to House Bills Nos. 1048 and 1101 be moved to the top of the Second Reading board this day.

Motion carried.

Fasbender moved that the House recess until 11:00 a.m.

Motion carried.

House recessed.

House resumed.

Mr. Speaker in the Chair.

REPORT OF SELECT COMMITTEE

March 12, 1974

Joint Conference Committee Report
House Amendments to Senate Bill No. 599

Mr. President and Speaker of the House:

We, your Joint Conference Committee on House Amendments to Senate Bill No. 599, beg leave to report as follows:

That we met this day and considered House Committee on Taxation Amendments dated March 5, 1974, and House Committee of the Whole Amendments to Senate Bill No. 599, dated March 6, 1974. This Joint Conference Committee recommends as follows:

That the Senate accede to paragraphs 1, 2 and 3 of the House Committee of the Whole Amendments dated March 6, 1974, and

That the House recede from all of the rest of the House Committee of the Whole Amendments dated March 6, 1974, and the House of Representatives Amendments dated March 5, 1974, and

The Joint Conference Committee further recommends the bill be amended as follows: Amend Section 1, page 3, line 10 after the word "act." by inserting the following material: "The state tax appeal board shall not have authority to amend or repeal any administrative rule or regulation. The state tax appeal board must give an administrative rule or regulation full effect unless the board finds any such rule or regulation arbitrary, capricious or otherwise unlawful.", and

Further amend Section 1, page 3, line 9 by striking the word "act" and inserting in lieu thereof the word "section", and

That Senate Bill No. 599, as so amended, be concurred in.

FOR THE SENATE:

McGOWAN

LYNCH

TURNAGE

FOR THE HOUSE:

NORMAN

TOWE

ULMER

REPORTS OF STANDING COMMITTEES

March 13, 1974

Mr. Speaker: We, your Committee on Finance and Claims, having had under consideration House Bill No. 1127, respectfully report as follows: That House Bill No. 1127 do not pass.

BARDANOUE, Chairman

March 13, 1974

Mr. Speaker: We, your Committee on Finance and Claims, having had under

consideration House Bill No. 1130, respectfully report as follows: That House Bill No. 1130 do pass.

BARDANOUE, Chairman

Report adopted.

March 13, 1974

Mr. Speaker: We, your Committee on Finance and Claims, having had under consideration Senate Bill No. 739, respectfully report as follows: That Senate Bill No. 739 be concurred in.

BARDANOUE, Chairman

Report adopted.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Swanberg moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading under the rules of the previous sitting.

Motion carried.

Towe in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

March 13, 1974

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That Senate Amendments to House Bill No. 1048 be not concurred in. (68-9)

That Senate Amendments to House Bill No. 1101 be not concurred in. (66-15)

That House Bill No. 1046 do pass. (73-6)

That House Bill No. 1122 do pass. (76-2)

That House Bill No. 1126 do pass. (60-6)

That House Bill No. 1129 do pass. (71-3)

That House Resolution No. 74 be adopted. (76-0)

That Senate Bill No. 554 be concurred in. (77-1)

That the committee rise and report and beg leave to sit again.

TOWE, Chairman

Report adopted.

REPORTS OF STANDING COMMITTEES

March 13, 1974

Mr. Speaker: We, your Committee on Labor and Employment Relations, having had under consideration House Resolution No. 80, respectfully report as follows: That House Resolution No. 80 be adopted.

LOMBARDI, Vice-Chairman

Report adopted.

March 13, 1974

Mr. Speaker: We, your Committee on Labor and Employment Relations, having had under consideration House Resolution No. 82, respectfully report as follows: That House Resolution No. 82 be adopted.

LOMBARDI, Vice-Chairman

Report adopted.

March 13, 1974

Mr. Speaker: We, your Committee on Finance and Claims, having had under consideration Senate Bill No. 531, respectfully report as follows: That Senate Bill No. 531 do pass.

BARDANOUE, Chairman

Report adopted.

March 13, 1974

Mr. Speaker: We, your Committee on Labor and Employment Relations, having had under consideration Senate Joint Resolution No. 70, respectfully report as follows: That Senate Joint Resolution No. 70 be adopted.

LOMBARDI, Vice-Chairman

Report adopted.

MOTIONS

Fasbender moved that the Speaker be authorized to appoint a Free Conference Committee to meet with a like committee from the Senate on House Bill No. 1048.

Motion carried.

Fasbender moved that the Speaker be authorized to appoint a Conference Committee to meet with a like committee from the Senate on Senate Amendments to House Bill No. 1101.

Motion carried.

Fasbender moved that the rules be suspended and that House Bills Nos. 1122, 1126 and 1129 be allowed to be considered on Third Reading this day.

Motion carried.

Fasbender moved that the House recess until 1:30 p.m.

Motion carried.

House recessed.

House resumed.

Mr. Speaker in the Chair.

COMMUNICATIONS AND PETITIONS

Ellerd present at this time.

The Speaker appointed the following Free Conference Committee to meet with a like committee from the Senate on House Bill No. 1048: Bradley, Chairman; Kimble and Cox.

The Speaker appointed the following Joint Conference Committee to meet with a like committee from the Senate on Senate Amendments to House Bill No. 1101: Schepens, Chairman; Lien and Walborn.

REPORTS OF STANDING COMMITTEES

March 12, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill and resolutions correctly printed: House Bill No. 931, House Resolution No. 72, House Resolution No. 75, House Resolution No. 76.

FLEMING, Vice-Chairman

March 13, 1974

Mr. Speaker: We, your Committee on Finance and Claims, having had under consideration Senate Bill No. 282, respectfully report as follows: That Senate Bill No. 282 be amended as follows:

Amend the title, line 11 of the third reading copy by striking the period and the quotation mark "." and inserting the following new material: "and providing for an appropriation.", and

Amend Section 1, page 2, lines 6 and 7 by striking the words and figures "fifteen dollars (\$15)" and inserting in lieu thereof the words and figures "twenty dollars (\$20)", and

Further amend Section 1, page 2, lines 12 and 13 by striking the words and figures "one hundred eighty dollars (\$180)" and inserting in lieu thereof the words and figures "two hundred forty dollars (\$240)", and

Further amend the blue copy by adding the following new section:

"Section 2. There is hereby appropriated to the office of budget and program planning the following sums for the fiscal year beginning July 1, 1974. The administration of this appropriation is the responsibility of that office who shall provide procedures for its distribution."

From General Fund	-0-	489,600
From Earmarked Revenue Fund	-0-	544,000
From Federal & Private Revenue Fund	-0-	521,600
From Revolving Fund	-0-	44,800" , and
As amended, be concurred in.		

BARDANOUE, Chairman

MESSAGES FROM THE OTHER HOUSE

March 13, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read third time, and concurred in as amended, title and history agreed to, and the said bills are herewith returned to the House for concurrence in Senate amendments:

House Bill No. 785 introduced by Swanberg, Johnston, et al

House Bill No. 953 introduced by Fagg, Walborn

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

March 13, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was this day read third time, and concurred in, title and history agreed to, and the said bill is herewith returned to the House:

House Bill No. 964 introduced by Marks, Schye, et al

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

March 13, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Conference Committee Reports were this day on third reading, roll call vote, adopted by the Senate:

Conference Committee Report on House Amendments to Senate Bill No. 626

Conference Committee Report on Senate Amendments to House Bill No. 556

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

March 13, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Free Conference Committee Report on Senate Bill No. 642 was this day on motion, duly carried, taken from second reading and re-referred to the Free Conference Committee.

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

March 13, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the House Amendments to Senate Joint Resolution No. 64 were this day concurred in by the Senate on third reading roll call vote of 45-4.

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

March 13, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day read three several times, and passed, titles and history agreed to, and the said bills are herewith transmitted to the House for concurrence:

Senate Bill No. 594 introduced by Graham

Senate Bill No. 744 introduced by Bollinger and Graham

Senate Bill No. 726 introduced by Zody

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

March 13, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was this day on Committee Report, not concurred in, report adopted, and the said bill is herewith returned to the House:

House Bill No. 1105 introduced by Regan and Cox

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

MOTIONS

East, having voted on the prevailing side on the previous legislative day in refusing to accept Senate Bill No. 738, moved that the House reconsider its action.

Motion failed.

Ulmer moved that Senate Bill No. 264 be taken from the Committee on Taxation and placed on Second Reading. A Roll call vote was requested by Ulmer with the Ayes and Nays spread on the Journal. Sufficient seconds arose and the motion failed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Barrett, Bell, Brown, Burnett, Campbell, Castles, Clemow, Cotton, Cox, East, Ellerd, Fagg, Forsgren, Galt, Glennen, Hager, Haines, H. Harper, Holtz, Hubing, Jones, Kessner, Kolstad, Kvaalen, Lockrem, Lucas, Lund, Lundgren, Mann, Marbut, Marks, Mercer, Olson, Rolfe, Schye, Seifert, Smith, Tierney, Turman, Turner, Ulmer, Walborn, Warfield, Watt. Total 47.

Noes: Baeth, Bardanouve, Baucus, Bennetts, Bradley, Brand, Colberg, Driscoll, Edland, Fasbender, Fleming, Flynn, Greely, Gunderson, Hageman, Halvorson, Healy, Hodges, Holmes, Huennekens, Jacobsen, Johnston, Kendall, Kimble, Kosena, Laas, Lien, Lombardi, Lynch, McKittrick, Manuel, Mehrens, Menahan, Murphy, Norman, Prevost, Quilici, Regan, Roberts, Schepens, Shelden, Staigmiller, Stephens, Stoltz, Swanberg, Towe, Yardley, Mr. Speaker. Total 48.

Paired: Holtz, Lundgren, Seifert, Aye; Bardanouve, Laas, McKittrick, Nay.

Excused: Hall, Zimmer. Total 2.

Absent or not voting: R. Harper, Lee, Selstad. Total 3.

Fasbender moved that the rules be suspended and that House Bill No. 1046 be placed on Third Reading for consideration this day.

Motion carried.

Fasbender moved that the rules be suspended and that the Joint Conference Committee Report on Senate Bill No. 599 be placed on Second Reading for consideration this day.

Motion carried.

Lucas moved that Senate Bill No. 608 be taken from the Committee on Finance and Claims and placed on Second Reading for consideration this day. A roll call vote was requested by Lucas with the Ayes and Nays spread on the Journal. Sufficient seconds arose and the motion failed by the following vote:

Ayes: Aageson, Ainsworth, Baeth, Barrett, Bell, Brand, Burnett, Campbell, Castles, Clemow, Cotton, Cox, East, Edland, Ellerd, Fagg, Forsgren, Galt, Glennen, Hageman, Hager, Healy, Hubing, Huennekens, Jacobsen, Kolstad, Laas, Lockrem, Lucas, Mann, Manuel, Marks, Mehrens, Mercer, Murphy, Norman, Olson, Schye, Staigmiller, Stephens, Tierney, Turner, Ulmer. Total 43.

Noes: Asbjornson, Baucus, Bennetts, Brown, Driscoll, Fasbender, Fleming, Flynn, Greely, Gunderson, Haines, Halvorson, H. Harper, Hodges, Holmes, Johnston, Kendall, Kessner, Kimble, Kosena, Kvaalen, Lee, Lombardi, Lund, Lynch, Marbut, Menahan, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Selstad, Shelden, Stoltz, Swanberg, Towe, Turman, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 44.

Excused: Hall, Lundgren, McKittrick, Seifert, Zimmer. Total 5.

Absent or not voting: Bardanouve, Bradley, Colberg, R. Harper, Holtz, Jones, Lien, Smith. Total 8.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following bills were introduced, read first time and referred to committees:

House Bill No. 1133, introduced by Lombardi, Schye, Kendall: A bill for an act entitled: "An act appropriating fifty thousand dollars (\$50,000) to the Legislative Council from the general fund for the drafting and printing of legislative district maps, with the excess to be returned to the general fund; and providing an effective date." Referred to Committee on Finance and Claims.

Senate Bill No. 594, introduced by Graham: A bill for an act entitled: "An act appropriating one hundred thousand dollars (\$100,000) to the Legislative Council for the publication of the journals, session laws, and statute number compilations of the 1974 legislature." Referred to Committee on Finance and Claims.

Senate Bill No. 726, introduced by Zody: A bill for an act entitled: "An act to appropriate one hundred seventy-five thousand two hundred dollars (\$175,200) to the Department of Social and Rehabilitation Services from the general fund for the provision of supplementary payments to recipients of supplemental security income, Title XVI of the Social Security Act, for the biennium ending June 30, 1975." Referred to Committee on Finance and Claims.

Senate Bill No. 744, introduced by Bollinger, Graham: A bill for an act entitled: "An act appropriating money to purchase a multilith duplicator and other equipment for the duplicating center." Referred to Committee on Finance and Claims.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Fasbender moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading under the rules of the previous sitting.

Motion carried.

Towe in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

March 13, 1974

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

Swanberg replaced Towe in the Chair.

That Senate Bill No. 743 be placed at the bottom of the board.

That Senate Amendments to House Bill No. 1010 be concurred in. (83-1)

That Senate Amendments to House Bill No. 1011 be concurred in. (68-5)

Towe resumes the Chair.

That Senate Amendments to House Bill No. 1050 be concurred in. (73-2)

That Senate Amendments to House Bill No. 1052 be concurred in. (73-0)

That Senate Amendments to House Bill No. 1053 be concurred in. (77-2)

That Senate Amendments to House Bill No. 1119 be concurred in. (75-0)

That Senate Amendments to House Joint Resolution No. 73 be concurred in. (77-0)

That the Joint Conference Committee Report on House Bill No. 556 be passed to the bottom of the board.

That the Joint Conference Committee Report on House Bill No. 586 be adopted. (56-35)

That the Joint Conference Committee Report on House Bill No. 822 be adopted. (83-0)

That the Joint Conference Committee Report on Senate Bill No. 626 be adopted. (76-2)

That the Joint Conference Committee Report on Senate Bill No. 599 be adopted. (78-2)

Lockrem replaces Towe in the Chair.

That Senate Bill No. 743 be amended in Section 1, page 1, line 20 of the third reading bill by omitting the word "one" and inserting in lieu thereof the word "five" and by adding the letter "s" to the word "dollar", and

Further amend by omitting the figure and punctuation "(\$1)" and insert in lieu thereof the figure and punctuation "(\$5)", and

Further amend by adding the following language after the figures "(\$1)": "to be remitted as set forth in section 25-311" (75-8), and

As amended, be concurred in. (73-4)

Towe resumes the Chair.

That the Joint Conference Committee Report on House Bill No. 556 be adopted. (73-5)

That the committee rise and report.

TOWE, Chairman

Report adopted.

MOTIONS

Swanberg moved that the rules be suspended and that all Senate Amendments to House Bills concurred in on Second Reading this day be placed on Third Reading for consideration this day.

Motion carried.

Lucas moved that Senate Bill No. 608 be taken from the Committee on Finance and Claims and placed on Second Reading for consideration this day.

As a substitute motion, Fasbender moved that further consideration on Senate Bill No. 608 be indefinitely postponed.

Motion failed.

Original motion failed.

Fasbender moved that all Senate Bills passed on Second Reading this day be placed on Third Reading for consideration this day.

Motion carried.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

Senate Bill No. 622 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brown, Burnett, Campbell, Clemow, Colberg, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lynch, Mann, Manuel, Marbut, Marks, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Smith, Staigmilller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 86.

Noes: None.

Excused: Hall, Lundgren, McKittrick, Seifert, Zimmer. Total 5.

Absent or not voting: Brand, Castles, Cotton, Holtz, Kosena, Mehrens, Selstad, Shelden, Ulmer. Total 9.

Senate Amendments to House Bill No. 909 were concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brown, Campbell, Castles, Clemow, Cotton, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Huennekens, Jacobsen, Jones, Kendall, Kessner, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lynch, Mann, Manuel, Marbut, Marks, Menahan, Mercer, Murphy, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Smith, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Turner, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 77.

Noes: Cox, East, Hubing, Johnston, Kimble, Norman, Towe. Total 7.

Excused: Hall, Lundgren, McKittrick, Seifert, Zimmer. Total 5.

Absent or not voting: Brand, Burnett, Colberg, Driscoll, Holtz, Mehrens, Schye, Selstad, Shelden, Turman, Ulmer. Total 11.

House Bill No. 1122 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brown, Campbell, Castles, Clemow, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Kendall, Kimble, Kolstad, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lynch, Mann, Manuel, Marbut, Marks, Menahan, Mercer, Murphy, Norman, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Smith, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 81.

Noes: Burnett, Galt, Jones, Kessner. Total 4.

Excused: Hall, Lundgren, McKittrick, Seifert, Zimmer. Total 5.

Absent or not voting: Brand, Colberg, Holtz, Kosena, Mehrens, Olson, Selstad, Turner, Ulmer. Total 9.

House Bill No. 1126 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bennetts, Bradley, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lien, Lockrem, Lombardi, Lucas, Lund, Lynch, Mann, Manuel, Marbut, Marks, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Regan, Roberts, Rolfe, Schepens, Smith, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 84.

Noes: Jones, Schye. Total 2.

Excused: Hall, Lundgren, McKittrick, Seifert, Zimmer. Total 5.

Absent or not voting: Bell, Brand, Holtz, Lee, Mehrens, Quilici, Selstad, Shelden, Ulmer. Total 9.

House Bill No. 1129 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Kendall,

Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lynch, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 85.

Noes: Burnett, Jones, Kessner. Total 3.

Excused: Hall, Lundgren, McKittrick, Seifert, Zimmer. Total 5.

Absent or not voting: Brand, Fagg, Holtz, Schye, Selstad, Shelden, Ulmer. Total 7.

House Bill No. 1046 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brown, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, Edland, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Huennekens, Jacobsen, Kendall, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lynch, Mann, Manuel, Marbut, Marks, Mehrens, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Schepens, Schye, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Warfield, Watt, Yardley, Mr. Speaker. Total 76.

Noes: Burnett, East, Hubing, Jones, Kessner, Menahan, Mercer, Rolfe, Smith, Walborn. Total 10.

Excused: Hall, Lundgren, McKittrick, Seifert, Zimmer. Total 5.

Absent or not voting: Brand, Campbell, Ellerd, Holtz, Johnston, Selstad, Shelden, Turner, Ulmer. Total 9.

The Conference Committee Report on House Bill No. 586 was adopted by the following vote:

Ayes: Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bennetts, Bradley, Brown, Campbell, Clemow, Colberg, Cotton, Driscoll, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Glennen, Greely, Gunderson, Hageman, Haines, Halvorson, R. Harper, Healy, Hodges, Holmes, Huennekens, Jacobsen, Kendall, Kessner, Kimble, Kolstad, Kosena, Laas, Lee, Lien, Lombardi, Lucas, Lynch, Mann, Manuel, Mehrens, Menahan, Murphy, Norman, Prevost, Quilici, Regan, Roberts, Schepens, Staigmiller, Stephens, Stoltz, Swanberg, Towe, Turman, Watt, Yardley, Mr. Speaker. Total 62.

Noes: Aageson, Bell, Burnett, Castles, Cox, East, Forsgren, Galt, Hager, H. Harper, Hubing, Johnston, Jones, Kvaalen, Lockrem, Lund, Marbut, Marks, Mercer, Olson, Rolfe, Schye, Smith, Turner, Walborn, Warfield. Total 26.

Excused: Hall, Lundgren, McKittrick, Seifert, Zimmer. Total 5.

Absent or not voting: Ainsworth, Brand, Holtz, Selstad, Shelden, Tierney, Ulmer. Total 7.

The Joint Conference Committee Report on House Bill No. 822 was adopted by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lund, Lynch, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 88.

Noes: None.

Excused: Hall, Lundgren, McKittrick, Seifert, Zimmer. Total 5.

Absent or not voting: Brand, Hager, Holtz, Lucas, Selstad, Shelden, Ulmer. Total

7.

The Joint Conference Committee Report on Senate Bill No. 626 was adopted by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Forsgren, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lynch, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Quilici, Regan, Roberts, Rolfe, Schye, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 85.

Noes: Burnett. Total 1.

Excused: Hall, Lundgren, McKittrick, Seifert, Zimmer. Total 5.

Absent or not voting: Brand, Flynn, Galt, Holtz, Prevost, Schepens, Selstad, Shelden, Ulmer. Total 9.

The Joint Conference Committee Report on Senate Bill No. 599 was adopted by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bradley, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lynch, Mann, Manuel, Mehrens, Menahan, Mercer, Murphy, Norman, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Walborn, Warfield, Watt, Mr. Speaker. Total 80.

Noes: Hubing, Marbut, Marks, Smith. Total 4.

Excused: Hall, Lundgren, McKittrick, Seifert, Zimmer. Total 5.

Absent or not voting: Bennetts, Brand, Burnett, Gunderson, Holtz, Olson, Schye, Selstad, Shelden, Ulmer, Yardley. Total 11.

The Joint Conference Committee Report on House Bill No. 556 was adopted by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lombardi, Lucas, Lund, Lynch, Mann, Manuel, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 85.

Noes: Burnett, H. Harper, Lockrem. Total 3.

Excused: Hall, Lundgren, McKittrick, Seifert, Zimmer. Total 5.

Absent or not voting: Brand, Holtz, Marbut, Olson, Selstad, Shelden, Ulmer. Total 7.

Senate Amendments to House Bill No. 1010 were concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus,

Bell, Bennetts, Bradley, Brown, Campbell, Castles, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lynch, Mann, Manuel, Marbut, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Shelden, Staigmillar, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 84.

Noes: Burnett, Clemow, Hubing, Marks, Smith. Total 5.

Excused: Hall, Lundgren, McKittrick, Seifert, Zimmer. Total 5.

Absent or not voting: Brand, Hageman, Hager, Holtz, Selstad, Ulmer. Total 6.

Senate Amendments to House Bill No. 1011 were concurred in by the following vote:

Ayes: Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lynch, Mann, Manuel, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Shelden, Smith, Staigmillar, Stephens, Stoltz, Towe, Turner, Walborn, Watt, Yardley, Mr. Speaker. Total 82.

Noes: Bradley, Marbut, Tierney, Turman, Warfield. Total 5.

Excused: Hall, Lundgren, McKittrick, Seifert, Zimmer. Total 5.

Absent or not voting: Aageson, Brand, Fleming, Holtz, Hubing, Selstad, Swanberg, Ulmer. Total 8.

Senate Amendments to House Bill No. 1050 were concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lockrem, Lombardi, Lucas, Lund, Lynch, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Shelden, Smith, Staigmillar, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 87.

Noes: Burnett, H. Harper, Lien. Total 3.

Excused: Hall, Lundgren, McKittrick, Seifert, Zimmer. Total 5.

Absent or not voting: Brand, Holtz, Jacobsen, Selstad, Ulmer. Total 5.

Senate Amendments to House Bill No. 1052 were concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lockrem, Lombardi, Lucas, Lund, Lynch, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Shelden, Smith, Staigmillar, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 88.

Noes: Lien. Total 1.

Excused: Hall, Lundgren, McKittrick, Seifert, Zimmer. Total 5.

Absent or not voting: Brand, Burnett, East, Holtz, Selstad, Ulmer. Total 6.

Senate Amendments to House Bill No. 1053 were concurred in by the following vote:

Ayes: Ageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brown, Campbell, Castles, Clemow, Cotton, Cox, Driscoll, East, Edland, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lockrem, Lombardi, Lucas, Lund, Lynch, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Schepens, Schye, Shelden, Smith, Staigmler, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 86.

Noes: Burnett, Ellerd, Lien, Rolfe. Total 4.

Excused: Hall, Lundgren, McKittrick, Seifert, Zimmer. Total 5.

Absent or not voting: Brand, Colberg, Holtz, Selstad, Ulmer. Total 5.

Senate Amendments to House Bill NO. 1119 were concurred in by the following vote:

Ayes: Ageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brown, Campbell, Castles, Clemow, Cotton, Cox, Driscoll, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lynch, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Shelden, Smith, Staigmler, Stephens, Stoltz, Swanberg, Towe, Turman, Turner, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 87.

Noes: Burnett, Tierney. Total 2.

Excused: Hall, Lundgren, McKittrick, Seifert, Zimmer. Total 5.

Absent or not voting: Brand, Colberg, East, Holtz, Selstad, Ulmer. Total 6.

Senate Amendments to House Joint Resolution No. 73 were concurred in by the following vote:

Ayes: Ageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brown, Burnett, Campbell, Castles, Clemow, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fasbender, Fleming, Flynn, Forsgren, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lynch, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Shelden, Smith, Staigmler, Stephens, Stoltz, Swanberg, Tierney, Towe, Turner, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 86.

Noes: None.

Excused: Hall, Lundgren, McKittrick, Seifert, Zimmer. Total 5.

Absent or not voting: Brand, Colberg, Fagg, Galt, Holtz, Schye, Selstad, Turman, Ulmer. Total 9.

Senate Bill No. 554 was concurred in by the following vote:

Ayes: Ageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brown, Castles, Clemow, Colberg, Cotton, Cox, Driscoll,

East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lynch, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Schepens, Schye, Shelden, Staigmillar, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 87.

Noes: Burnett, Rolfe, Smith. Total 3.

Excused: Hall, Lundgren, McKittrick, Seifert, Zimmer. Total 5.

Absent or not voting: Brand, Campbell, Holtz, Selstad, Ulmer. Total 5.

Senate Bill No. 743 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanove, Barrett, Baucus, Bell, Bennetts, Bradley, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Huennekens, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lombardi, Lucas, Lund, Lynch, Mann, Manuel, Marbut, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Shelden, Staigmillar, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 83.

Noes: Edland, Jacobsen, Lien. Total 3.

Excused: Hall, Lundgren, McKittrick, Seifert, Zimmer. Total 5.

Absent or not voting: Brand, East, Holtz, Hubing, Lockrem, Marks, Selstad, Smith, Ulmer. Total 9.

Fasbender moved that the House adjourn until 10:00 a.m., March 14, 1974.

Motion carried.

House adjourned.

HAROLD E. GERKE, Speaker

EDWIN A. SMITH, Chief Clerk

FIFTY-EIGHTH LEGISLATIVE DAY

Helena, Montana
March 14, 1974

House Chambers
Capitol Building

House convened at 10:00 a.m., Mr. Speaker in the Chair.

Invocation by the Chaplain.

Pledge of Allegiance to the Flag.

Roll call. All members present except Hall, Seifert, Mercer, Shelden, McKittrick, Lundgren and Zimmer, all excused.

Quorum present.

Mr. Speaker: We, your Committee on Bills and Journal, having examined the daily journal for the Fifty-seventh Legislative Day, find the same to be correct.

QUILICI, Chairman

REPORTS OF STANDING COMMITTEES

March 13, 1974

I have examined House Bill No. 698 introduced by me and find the same to be correct.

BARDANOUE

March 13, 1974

I have examined House Bill No. 1039 introduced by me and find the same to be correct.

BAUCUS

March 13, 1974

I have examined House Joint Resolution No. 66 introduced by me and find the same to be correct.

HUENNEKENS

March 13, 1974

I have examined House Bill No. 866 introduced by me and find the same to be correct.

YARDLEY

March 13, 1974

I have examined House Bill No. 886 introduced by me and find the same to be correct.

EDLAND

March 13, 1974

I have examined House Bill No. 1005 introduced by me and find the same to be correct.

HOLMES

March 13, 1974

I have examined House Bill No. 789 introduced by me and find the same to be correct.

TIERNEY

March 13, 1974

I have examined House Bill No. 764 introduced by me and find the same to be correct.

GUNDERSON

March 13, 1974

I have examined House Bill No. 624 introduced by me and find the same to be correct.

SHELDEN

March 13, 1974

I have examined House Bill No. 617 introduced by me and find the same to be correct.

LUND

March 13, 1974

I have examined House Bill No. 805 introduced by me and find the same to be correct.

KOSENA

March 13, 1974

I have examined House Bill No. 716 introduced by me and find the same to be correct.

BRAND

March 13, 1974

I have examined House Bill No. 974 introduced by me and find the same to be correct.

ROBERTS

March 13, 1974

I have examined House Bill No. 699 introduced by me and find the same to be correct.

FORSGREN

March 14, 1974

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bill No. 478, House Bill No. 672, House Bill No. 765, House Bill No. 797, House Bill No. 830, House Bill No. 859, House Bill No. 889, House Bill No. 910, House Bill No. 950, House Bill No. 967, House Bill No. 980, House Bill No. 991, House Bill No. 1009, do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day, at the hour of 9:10 o'clock, a.m., delivered to the Governor for his approval.

QUILICI, Chairman

March 14, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill correctly printed: House Bill No. 1125.

QUILICI, Chairman

March 13, 1974

reported March 14, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following resolutions correctly printed: House Resolution No. 80, House Resolution No. 82.

QUILICI, Chairman

March 13, 1974

reported March 14, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills and resolutions correctly enrolled: House Bill No. 193, House Bill No. 617, House Bill No. 624, House Bill No. 698, House Bill No. 699, House Bill No. 716, House Bill No. 764, House Bill No. 789, House Bill No. 805, House Bill No. 864, House Bill No. 866, House Bill No. 886, House Bill No. 974, House Bill No. 1005, House Bill No. 1034, House Bill No. 1039, House Joint Resolution No. 62, House Joint Resolution No. 66.

QUILICI, Chairman

March 13, 1974

reported March 14, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bill correctly printed: House Bill No. 1130.

QUILICI, Chairman

March 13, 1974

reported March 14, 1974

The following bills and resolutions will be signed on adjournment on March 13, 1974, in the office of the Speaker of the House of Representatives: Senate Bill No. 650, Senate Bill No. 670, Senate Bill No. 710, House Bill No. 193, House Bill No. 617, House Bill No. 624, House Bill No. 698, House Bill No. 699, House Bill No. 716, House Bill No. 764, House Bill No. 789, House Bill No. 805, House Bill No. 864, House Bill No. 866, House Bill No. 886, House Bill No. 974, House Bill No.

1005, House Bill No. 1034, House Bill No. 1039, House Joint Resolution No. 62, House Joint Resolution No. 66.

EDWIN A. SMITH, Chief Clerk
House of Representatives.

March 14, 1974

Mr. Speaker: We, your Committee on Taxation, having had under consideration House Resolution No. 84, respectfully report as follows: That House Resolution No. 84 be adopted.

WATT, Chairman

Report adopted.

March 13, 1974

Mr. Speaker: We, your Committee on Finance and Claims, having had under consideration Senate Bill No. 629, respectfully report as follows: That Senate Bill No. 629 be amended as follows:

Amend Section 1, page 1, line 23 of the Third Reading Bill by omitting the word "general" and inserting in lieu thereof the words "earmarked revenue fund, Fish and Game Account", and

As amended, be concurred in.

BARDANOUVE, Chairman

Report adopted.

March 13, 1974

Mr. Speaker: We, your Committee on Finance and Claims, having had under consideration Senate Bill No. 729, respectfully report as follows: That Senate Bill No. 729 do pass.

BARDANOUVE, Chairman

Report adopted.

March 13, 1974

Mr. Speaker: We, your Committee on Finance and Claims, having had under consideration Senate Bill No. 734, respectfully report as follows: That Senate Bill No. 734 do pass.

BARDANOUVE, Chairman

Report adopted.

March 13, 1974

Mr. Speaker: We, your Committee on Finance and Claims, having had under consideration Senate Bill No. 742, respectfully report as follows: That Senate Bill No. 742 do pass.

BARDANOUVE, Chairman

REPORTS OF SELECT COMMITTEES

March 13, 1974

Free Joint Conference Committee Report
Senate Bill No. 367

Mr. President and Speaker of the House:

We, your Free Joint Conference Committee met March 13, 1974 and considered House Committee on Highways and Transportation Amendments to Senate Third Reading Bill No. 367 dated March 5, 1974 and recommend as follows:

That the Senate accedes to the House Committee on Highways and Transportation Amendment adopted March 5, 1974, and

That Senate Bill No. 367, as so amended, be concurred in.

FOR THE SENATE:

SORENSEN

BROEDER

MANNING

FOR THE HOUSE:

LAAS

HUENNEKENS

AAGESON

March 13, 1974

Free Joint Conference Committee Report
Senate Bill No. 642

Mr. President and Speaker of the House:

We, your Free Joint Conference Committee on Senate Bill No. 642, beg leave to report as follows:

That we met this day and considered Senate Bill No. 642, and the Free Joint Conference Committee recommends as follows:

That the House recede from the House Committee on Labor and Employment Amendments to Senate Bill No. 642, dated March 6, 1974, and from the House Committee of the Whole Amendments to Senate Bill No. 642, dated March 7, 1974, and the Free Joint Conference Committee recommends the bill be amended as follows:

Amend the title of the third reading bill, page 1, line 9, following the word "act" by inserting the following punctuation and language "; authorizing the division to make certain payments; and providing an effective date", and

Further amend the third reading copy of the bill, page 2, line 3, by inserting a new Section 2 to read as follows:

"Section 2. Application of act. The provisions of this act apply prospectively only. However, the division shall pay to any widow, widower or beneficiary who did or shall become eligible for compensation for injury causing death after June 30, 1973, and before July 1, 1974, such sum or sums necessary to bring the total amount of compensation paid or to be paid as long as such person has, or remains eligible for compensation, to the amount such person would have received without the reduction for benefits granted by the Social Security Act. The division shall pay such sums in a lump sum as to compensation periods past and bi-weekly as to compensation to become due and from a special fund appropriated for this purpose.", and

Further amend the third reading copy of the bill, page 2, following the new Section 2, by inserting a new Section 3 to read as follows:

Section 3. This act is effective on its passage and approval.", and

That Senate Bill No. 642, as so amended, be concurred in.

FOR THE SENATE:

SIDERIUS

BENNETT

JAMES

FOR THE HOUSE:

LEE

BELL

KIMBLE

March 13, 1974

Free Joint Conference Committee Report
House Bill No. 507

Mr. President and Speaker of the House:

We, your Free Joint Conference Committee on House Bill No. 507, beg leave to report as follows:

That we met this day and considered House Bill No. 507, and the Free Joint Conference Committee recommends as follows:

That the House accede to the Senate Committee of the Whole Amendments dated February 12, 1974, to the title, and

That the Senate recede from the remaining Senate Committee of the Whole Amendments dated February 12, 1974, to the body of the bill, and

The Free Joint Conference Committee further recommends that House Bill No. 507 be amended as follows:

Amend on page 1, beginning on line 18, by striking the bill in its entirety, and inserting in lieu thereof the following new material:

"Section 1. Sports pools defined — rules. 'Sports pools' means a card divided into squares or spaces with the names of the participants in the pool written within such squares or spaces, for which consideration in money is paid by the person playing for each square or space for the chance to win money or other items of value on any sports event wherein the participants in such sports event are natural persons or animals. The card used for recording the pool and upon which the squares or spaces appear shall clearly state in advance of the sale of any chances the number of chances to be sold in that specific pool, the name of the event, the consideration to be paid for each chance and the total amount to be paid to the winners.

No chance to participate in a sports pool may be sold other than upon the premises in which the sports pool is conducted. No individual chance to participate in a sports pool shall be sold for a consideration in excess of one dollar (\$1) and the total amount to be paid to the winners of any individual sports pool shall not exceed the value of one hundred dollars (\$100). The winner of any sports pool shall receive a one hundred percent (100%) payout of the value of the sports pool.

Section 2. Transportation exempt from federal law. The transportation of sports pool cards is hereby declared exempt from the provisions of 15 U.S.C. 1172.

Section 3. Gambling on a cash basis. (1) In every gambling game conducted pursuant to any gambling law of the state the consideration paid for the chance to play shall be strictly cash. Every participant must present the money with which he intends to play the gambling game at the time the game is played. No check, credit card, note, I.O.U. or other evidence of indebtedness shall be offered or accepted as part of the price of participating in a gambling game or as payment of a gambling debt.

(2) No action based on a gambling debt is maintainable in a court of this state.

Section 4. Minors may not participate. No person under the age of eighteen (18) years shall be permitted to participate in any game or games of chance held, operated or conducted pursuant to this act.

Section 5. Cheating unlawful. It shall be unlawful to conduct or participate in a gambling game authorized by this act or any other gambling law in any manner which results in cheating, misrepresentation or other such disreputable tactics which distract from a fair and equal chance for all participants or which otherwise affects the outcome of the gambling game.

Section 6. Peace officers to enforce act. It shall be the duty of all peace officers to enforce the provisions of this act and to arrest and complain against any person violating any provision of this act. It shall be the duty of the county attorney of the respective county to prosecute all violations of this act in the manner and form as is provided by law and it shall be a misdemeanor for any such person or persons to knowingly fail to perform his or her duty under this section.

Section 7. Penalty for violation of act. Every person who willfully violates or who procures, aids or abets in the willful violation of this act, shall be deemed guilty of a misdemeanor and upon conviction, shall be punished by a fine of not more than one thousand dollars (\$1,000) or imprisonment in the county jail for not more than three (3) months, or both.

Section 8. Prior law still in effect. To the extent that they are not specifically superseded by the provisions of this act or any other gambling law, the provisions of sections 94-8-401 through 94-8-431, R.C.M. 1947, remain effect.

Section 9. Venue. Venue for all violations of this act is in the district court.

Section 10. Severability. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are declared to be severable.

Section 11. Effective date. This act is effective on its passage and approval.", and

And that House Bill No. 507, as so amended, be concurred in.

FOR THE SENATE:

LYNCH

TURNAGE

ZODY

FOR THE HOUSE:

LAAS

LIEN

ULMER

March 13, 1974

Free Joint Conference Committee Report
House Bill No. 703

Mr. President and Speaker of the House:

We, your Free Joint Conference Committee on House Bill No. 703, beg leave to report as follows:

That we met this day and considered House Bill No. 703, and the Free Joint Conference Committee recommends as follows:

That the House accede to the Senate Committee of the Whole Amendments dated February 12, 1974, to the title, line 4, and that the Senate recede from its remaining Committee of the Whole Amendments dated February 12, 1974, to the title, line 5, and the body of the bill, and the Free Joint Conference Committee recommends that the bill be amended as follows:

Amend the title, line 5, following the word and punctuation "terms;" by striking the words "prescribing the duties and powers of the Department of Revenue with regard to this act" and inserting in lieu thereof the following words: "permitting local licensing and regulation; providing penalties and providing an effective date", and

Further amend following the enacting clause on page 1, line 9, by deleting the bill in its entirety, and inserting in lieu thereof the following material:

"Section 1. Short title. This act may be cited as the 'Montana Card Games Act.'"

Section 2. Definitions. As used in this act and unless the context otherwise requires, the following terms or phrases have the following meanings:

- (1) 'Authorized card game' means any card game permitted by this act.
- (2) 'Card game' means any game played with cards for which the prize is money or any item of value.

Section 3. Unauthorized card games prohibited. (1) It is unlawful for any person to conduct or participate in any card game or make any tables available for the playing of card games except those card games authorized by this act.

(2) The card games authorized by this act are and are limited to the card games known as bridge, cribbage, hearts, panquinque, pinochle, pitch, rummy, whist, solo, and poker.

Section 4. Prizes not to exceed one hundred dollars (\$100). No prize for any individual game shall exceed the value of one hundred dollars (\$100). Games shall not be combined in any manner so as to increase the value of the ultimate prize awarded.

Section 5. Rules of play to be posted — rake-off approved. Rules governing the conduct of each game shall be prominently posted on the premises of any licensed establishment where such game is conducted. Such rules shall include notice of the maximum percentage rake-off if any, and shall require that the person taking the rake-off do so in an obvious manner and only after announcing the amount of each rake-off, which shall only be taken at the conclusion of each game when the winner of each individual pot has been determined.

Section 6. Gambling on a cash basis. (1) In every gambling game conducted pursuant to any gambling law of the state the consideration paid for the chance to play shall be strictly cash. Every participant must present the money with which he intends to play the gambling game at the time the game is played. No check, credit card, note, I.O.U. or other evidence of indebtedness shall be offered or accepted as part of the price of participating in a gambling game or as payment of a gambling debt.

(2) No action based on a gambling debt is maintainable in a court of this state.

Section 7. Local governing bodies may issue licenses. (1) Any city, town or county may issue licenses for the gambling games provided for in this act to be conducted on premises which have been licensed for the sale of liquor, beer, food, cigarettes or any other consumable products. Within the cities or towns, such licenses may be issued by the city or town council or commission. Licenses for games conducted on premises outside the limits of any city or town may be issued by the county commissioners of the respective counties. When a license has been required by any city, town or county, no gambling game as provided for in this act shall be conducted on any premises which have been licensed for the sale of liquor, beer, food, cigarettes or any other consumable product without such license having first been obtained.

(2) Any governing body may charge an annual license fee for each license so issued under this act, which license fee, if any, shall expire on June 30 of each year, and such fee shall be prorated.

(3) Any license issued pursuant to this act shall be deemed to be a revocable privilege, and no holder thereof shall acquire any vested rights therein or thereunder.

Section 8. Governing body may establish regulations. The governing body authorized to issue gambling licenses pursuant to this act shall have the authority to establish by ordinance or resolution, regulations governing the qualifications for and the issuing, suspension and revocation of such gambling licenses. These regulations, in addition to any other requirements, shall provide that no license shall be issued to:

1. A person who has been convicted of being the keeper or is keeping a house of ill fame.

2. A person who has been convicted of pandering or other crime or misdemeanor opposed to decency and morality, under the laws of the federal government or any state of the United States.

3. A person whose license issued under this act has been revoked for cause.

4. A person who at the time of application for renewal of any license issued hereunder would not be eligible for such license upon a first application.

5. A person who is not a citizen of the United States and who has not been a resident of the state of Montana for at least one (1) year immediately preceding the filing of the application for license.

6. A person who is not the owner and operator of the business. Additional regulations may also be adopted for the purpose of the protection of the public health, welfare and safety of the citizens of the state of Montana and to assure compliance with the intent of this act.

Section 9. Minors may not participate. No person under the age of eighteen (18) years shall be permitted to participate in any game or games of chance held, operated or conducted pursuant to this act.

Section 10. Cheating unlawful. It shall be unlawful to conduct or participate in a gambling game authorized by this act or any other gambling law in any manner which results in cheating, misrepresentation or other such disreputable tactics which distract from a fair and equal chance for all participants or which otherwise affects the outcome of the gambling game.

Section 11. Peace officers to enforce act. It shall be the duty of all peace officers to enforce the provisions of this act and to arrest and complain against any person violating any provision of this act. It shall be the duty of the county attorney of the respective county to prosecute all violations of this act in the manner and form as is provided by law and it shall be a misdemeanor for any such person or persons to knowingly fail to perform his or her duty under this section.

Section 12. Penalty for violation of act. Every person who willfully violates or who procures, aids or abets in the willful violation of this act or any ordinance, resolution or regulation adopted pursuant thereto shall be deemed guilty of a misdemeanor and upon conviction, shall be punished by a fine of not more than one thousand dollars (\$1,000) or imprisonment in the county jail for not more than three (3) months, or both.

Section 13. Venue. Venue for all cases involving violations of this act is in the district court.

Section 14. Prior laws still in effect. To the extent that they are not specifically superseded by provisions of this act or any other gambling law, the provisions of sections 94-8-401 through 94-8-431, R.C.M. 1947, remain in effect.

Section 15. Severability. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are declared to be severable.

Section 16. Effective date. This act is effective on its passage and approval.”;

And that House Bill No. 703, as so amended, be concurred in.

FOR THE SENATE:

LYNCH

TURNAGE

ZODY

FOR THE HOUSE:

LAAS

LIEN

ULMER

March 13, 1974

Free Joint Conference Committee Report
House Bill No. 705

Mr. President and Speaker of the House:

We, your Free Joint Conference Committee on House Bill No. 705, beg leave to report as follows:

That we met this day and considered House Bill No. 705, and the Free Joint Conference Committee recommends as follows:

That the Senate recede from its Committee of the Whole Amendments dated February 12, 1974, to House Bill No. 705, and the Free Joint Conference Committee recommends the bill be amended as follows:

Amend the title, line 6, following the word “raffles” by inserting the following punctuation and words: “; defining terms; permitting local licensing and regulation; providing penalties; and providing an effective date”;

And further amend following the enacting clause on line 8 by deleting the bill in its entirety and inserting in lieu thereof the following new material:

“Section 1. Short title. This act shall be known and may be cited and referred to as the ‘Bingo and Raffles Law.’

Section 2. Definitions. As used in this act, unless the context otherwise requires, the following terms or phrases shall have the following meanings:

(1) 'Game of chance' means that specific kind of game of chance commonly known as:

(a) 'bingo' in which prizes are awarded on the basis of designated numbers or symbols on a card which conform to numbers or symbols selected at random; and such prizes must be in tangible personal property only and not in money, cash, stocks, bonds, evidences of indebtedness, or other intangible personal property and must not exceed the value of one hundred dollars (\$100) for each individual bingo award. The price for an individual bingo card shall not exceed fifty cents (\$.50). It shall be unlawful to, in any manner, combine any awards so as to increase the ultimate value of such award;

(b) 'raffles,' which are conducted by drawing for prizes. Prizes must be in tangible personal property only and not in money, cash, stocks, bonds, evidences of indebtedness, or other intangible personal property and must not exceed the value of one thousand dollars (\$1,000) for each individual raffle card. It shall be unlawful to, in any manner, combine any awards so as to increase the ultimate value of such award.

(2) 'Equipment' means:

(a) with respect to bingo, the receptacle and numbered objects drawn from it, the master board upon which such objects are placed as drawn, the cards or sheets bearing numbers or other designations to be covered and the objects used to cover them, the boards or signs, however operated, used to announce or display the numbers or designations as they are drawn, public address system, and all other articles essential to the operation, conduct and playing of bingo; or

(b) with respect to raffles, the implements, devices and machines designed, intended or used for the conduct of raffles and the identification of the winning number or unit and the ticket or other evidence of right to participate in raffles.

Section 3. Restrictions on bingo and raffles. In the playing of bingo, no person who is not physically present on the premises where the game is actually conducted shall be allowed to participate as a player in the game. Raffles authorized by this act shall be restricted to events and participants within the geographic confines of the state of Montana.

Section 4. No raffle drawing before thirty (30) days or after ninety (90) days. No raffle drawing may be held nor winner determined unless the chances to participate have been offered for sale for at least thirty (30) days prior to the drawing. The drawing shall take place no later than ninety (90) days after the first offering for sale of chances to participate.

Section 5. Local governing bodies may issue licenses. (1) Any city, town or county may issue licenses for the gambling games provided for in this act to be conducted on premises which have been licensed for the sale of liquor, beer, food, cigarettes or any other consumable products. Within the cities or towns, such licenses may be issued by the city or town council or commission. Licenses for games conducted on premises outside the limits of any city or town may be issued by the county commissioners of the respective counties. When a license has been required by any city, town or county, no gambling game as provided for in this act shall be conducted on any premises which have been licensed for the sale of liquor, beer, food, cigarettes or any other consumable product without such license having first been obtained.

(2) Any governing body may charge an annual license fee for each license so issued under this act, which license fee, if any, shall expire on June 30 of each year, and such fee shall be prorated.

(3) Any license issued pursuant to this act shall be deemed to be a revocable privilege, and no holder thereof shall acquire any vested rights therein or thereunder.

Section 6. Governing body may establish regulations. The governing body authorized to issue gambling licenses pursuant to this act shall have the authority

to establish by ordinance or resolution regulations governing the qualifications for and the issuing, suspension and revocation of such gambling licenses. These regulations, in addition to any other requirements, shall provide that no license shall be issued to:

1. A person who has been convicted of being the keeper or is keeping a house of ill fame.
2. A person who has been convicted of pandering or other crime or misdemeanor opposed to decency and morality, under the laws of the federal government or any state of the United States.
3. A person whose license issued under this act has been revoked for cause.
4. A person who at the time of application for renewal of any license issued hereunder would not be eligible for such license upon a first application.
5. A person who is not a citizen of the United States and who has not been a resident of the state of Montana for at least one (1) year immediately preceding the filing of the application for license.
6. A person who is not the owner and operator of the business. Additional regulations may also be adopted for the purpose of the protection of the public health, welfare and safety of the citizens of the state of Montana and to assure compliance with the intent of this act.

Section 7. Minors not to participate. No person under the age of eighteen (18) years shall be permitted to participate in any game or games of chance held, operated or conducted pursuant to this act.

Section 8. Peace officers to enforce act. It shall be the duty of all peace officers to enforce the provisions of this act and to arrest and complain against any person violating any provision of this act. It shall be the duty of the county attorney of the respective county to prosecute all violations of this act in the manner and form as is provided by law and it shall be a misdemeanor for any such person or persons to knowingly fail to perform his or her duty under this section.

Section 9. Penalty for violation of act. Every person who willfully violates or who procures, aids or abets in the willful violation of this act or any ordinance, resolution or regulation adopted pursuant thereto shall be deemed guilty of a misdemeanor and upon conviction, shall be punished by a fine of not more than one thousand dollars (\$1,000) or imprisonment in the county jail for not more than three (3) months, or both.

Section 10. Gambling on a cash basis. (1) In every gambling game conducted pursuant to any gambling law of the state the consideration paid for the chance to play shall be strictly cash. Every participant must present the money with which he intends to play the gambling game at the time the game is played. No check, credit card, note, I.O.U. or other evidence of indebtedness shall be offered or accepted as part of the price of participation in a gambling game or as payment of a gambling debt.

(2) No action based on a gambling debt is maintainable in a court of this state.

Section 11. Cheating unlawful. It shall be unlawful to conduct or participate in a gambling game authorized by this act or any other gambling law in any manner which results in cheating, misrepresentation or other such disreputable tactics which distract from a fair and equal chance for all participants or which otherwise affects the outcome of the gambling game.

Section 12. Bingo and raffles exempt from prior law. Bingo and raffles as in this act authorized are exempt from the provisions of sections 94-8-301 through 94-8-311, R.C.M. 1947.

Section 13. Severability. It is the intent of the legislature that if a part of this act is invalid, all valid parts severable from the invalid parts remain in effect. If a part of this act is invalid in one or more of its applications, the part remains in effect in all valid applications that are severable from the invalid applications.

Section 14. Effective date. This act is effective on its passage and approval.”;

And that House Bill No. 705 as so amended, be concurred in.

FOR THE SENATE:

LYNCH

TURNAGE

ZODY

FOR THE HOUSE:

LAAS

LIEN

ULMER

MESSAGES FROM THE OTHER HOUSE

March 13, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day acceded to the request of the House, and authorized the President to appoint a Conference Committee to meet with a like committee of the House to confer on Senate Amendments to House Bill No. 1101.

The President appointed the following members:

Senator Gilfeather, Chairman

Senator Romney

Senator Harrison

Respectfully yours,

JOHN N. HANSON

Secretary of the Senate

March 13, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day on motion, duly carried, dissolved the Conference Committee on Senate Amendments to House Bill No. 755, and the President was authorized to appoint a new Conference Committee to meet with a like committee from the House to confer on Senate Amendments to House Bill No. 755.

The President appointed the following members:

Senator Graham, Chairman

Senator Bollinger

Senator Darrow

Respectfully yours,

JOHN N. HANSON

Secretary of the Senate

March 13, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day acceded to the request of the House, and authorized the President to appoint a Free Conference Committee to meet with a like committee of the House to confer on House Bill No. 1048.

The President appointed the following members:

Senator Lynch, Chairman

Senator Thiessen

Senator Moore

Respectfully yours,

JOHN N. HANSON

Secretary of the Senate

MOTIONS

Lucas moved that Senate Bill No. 608 be taken from the Committee on Finance and Claims and placed on Second Reading for consideration this day.

Motion carried.

Menahan moved that Senate Bill No. 644 be taken from the Committee on Finance and Claims and placed on Second Reading for consideration this day.

Motion withdrawn.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following resolutions were introduced, read first time and referred to committees:

House Resolution No. 89, introduced by Lund, Prevost: A Resolution of the House of Representatives of the State of Montana requesting the Committee on Priorities to assign to the appropriate standing committee a study of the problems relating to state institutions and their employees and have it report its findings to the first regular session of the Forty-fourth Legislature. Referred to Committee on Priorities.

House Resolution No. 90, introduced by Bennetts, Marbut, Lynch: A Resolution of the House of Representatives of the State of Montana expressing recognition of the fact that in order to fully respect the fine balance that exists between the protection of individual rights and the recognition of compelling state interest renewed effort must be made on the part of all responsible governmental authorities to review laws that relate to individual rights. Referred to Committee on Judiciary.

House Resolution No. 91, introduced by Bardanoue: A Resolution of the House of Representatives of the State of Montana requesting a joint study to determine methods of increasing efficiency in the operation of the legislature. Referred to Committee on Priorities.

SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)

Swanberg moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading under the rules of the previous sitting.

Motion carried.

Ulmer in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

March 14, 1974

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That House Bill No. 931 be placed below Senate Bill No. 739 on the board.

Fagg excused at this time.

That House Bill No. 1130 do pass. (75-0)

That House Resolution No. 72 be adopted. (63-8)

That House Resolution No. 75 be adopted. (59-9)

That House Resolution No. 76 be amended on page 1, line 20 after the words "by the" by omitting the word "Senate" and inserting in lieu thereof the word "House" (55-2), and

McKittrick present at this time.

As amended, be adopted. (52-14)

That Senate Bill No. 282 be concurred in. (66-3)

That Senate Bill No. 531 be concurred in. (69-13)

That the committee rise and report and beg leave to sit again.

ULMER, Chairman

Report adopted.

Fasbender moved that the House recess until 1:30 p.m.

Motion carried.

House recessed.

House resumed.

Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

Lundgren and Mercer present at this time.

March 14, 1974

The following bills and resolutions were signed in the office of the Speaker of the House of Representatives on March 13, 1974: Senate Bill No. 650, Senate Bill No. 670, Senate Bill No. 710, House Bill No. 193, House Bill No. 617, House Bill No. 624, House Bill No. 698, House Bill No. 699, House Bill No. 716, House Bill No. 764, House Bill No. 789, House Bill No. 805, House Bill No. 864, House Bill No. 866, House Bill No. 886, House Bill No. 974, House Bill No. 1005, House Bill No. 1034, House Bill No. 1039, House Joint Resolution No. 62, House Joint Resolution No. 66.

EDWIN A. SMITH, Chief Clerk
House of Representatives

March 14, 1974

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bill No. 193, House Bill No. 617, House Bill No. 624, House Bill No. 698, House Bill No. 699, House Bill No. 716, House Bill No. 764, House Bill No. 789, House Bill No. 805, House Bill No. 864, House Bill No. 866, House Bill No. 886, House Bill No. 974, House Bill No. 1005, House Bill No. 1034, House Bill No. 1039, House Bill No. 1040, House Bill No. 1056, House Bill No. 1081, do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day, at the hour of 11:05 o'clock, a.m., delivered to the Governor for his approval.

QUILICI, Chairman

March 14, 1974

Mr. Speaker: We, your Committee on Education, having had under consideration House Resolution No. 83, respectfully report as follows: That House Resolution No. 83 be adopted.

GUNDERSON, Chairman

Report adopted.

March 14, 1974

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Resolution No. 85, respectfully report as follows: That House Resolution No. 85 be adopted.

YARDLEY, Vice-Chairman

Report adopted.

March 14, 1974

Mr. Speaker: We, your Committee on Judiciary, having had under consideration House Resolution No. 87, respectfully report as follows: That House Resolution No. 87 be adopted.

YARDLEY, Vice-Chairman

Report adopted.

March 14, 1974

Mr. Speaker: We, your Committee on Finance and Claims, having had under consideration Senate Bill No. 594, respectfully report as follows: That Senate Bill No. 594 do pass.

BARDANOUVE, Chairman

Report adopted.

March 14, 1974

Mr. Speaker: We, your Committee on Finance and Claims, having had under consideration Senate Bill No. 726, respectfully report as follows: That Senate Bill No. 726 do pass.

BARDANOUVE, Chairman

Report adopted.

March 14, 1974

Mr. Speaker: We, your Committee on Finance and Claims, having had under consideration Senate Bill No. 727, respectfully report as follows: That Senate Bill No. 727 be not concurred in.

BARDANOUVE, Chairman

March 14, 1974

Mr. Speaker: We, your Committee on Finance and Claims, having had under consideration Senate Bill No. 744, respectfully report as follows: That Senate Bill No. 744 be concurred in.

BARDANOUVE, Chairman

Report adopted.

March 14, 1974

Mr. Speaker: We, your Committee on Judiciary, having had under consideration Senate Joint Resolution No. 69, respectfully report as follows: That Senate Joint Resolution No. 69 be concurred in.

YARDLEY, Vice-Chairman

Report adopted.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 1127 was adopted by the following vote:

Ayes: Ainsworth, Baeth, Barrett, Bennetts, Bradley, Burnett, Campbell, Castles, Colberg, Driscoll, Ellerd, Fasbender, Flynn, Forsgren, Galt, Greely, Hageman, Halvorson, Healy, Hodges, Holmes, Hubing, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lombardi, Lundgren, Lynch, McKittrick, Mann, Mehrens, Menahan, Mercer, Murphy, Olson, Quilici, Schepens, Schye, Selstad, Smith, Staigmiller, Stephens, Swanberg, Turner, Warfield, Watt, Mr. Speaker. Total 55.

Noes: Cotton, H. Harper, R. Harper, Tierney, Turman, Ulmer, Walborn, Yardley. Total 8.

Excused: Fagg, Hall, Seifert, Shelden, Zimmer. Total 5.

Absent or not voting: Aageson, Asbjornson, Bardanouve, Baucus, Bell, Brand, Brown, Clemow, Cox, East, Edland, Fleming, Glennen, Gunderson, Hager, Haines, Holtz, Huennekens, Jacobsen, Lockrem, Lucas, Lund, Manuel, Marbut, Marks, Norman, Prevost, Regan, Roberts, Rolfe, Stoltz, Towe. Total 32.

REPORT OF SELECT COMMITTEE

March 14, 1974

Joint Conference Committee Report
House Bill No. 1101

Mr. President and Speaker of the House:

We, your Joint Conference Committee met March 14 and considered Senate Committee on Judiciary Amendments dated March 7, 1974 and recommend as follows:

That the Senate recedes from its Committee on Judiciary Amendments dated March 7, 1974 in Section 1, Subsection 4, page 2, lines 17 and 18; and in Section 1, Subsection 5, page 3, line 4; and

That the House accede to the Senate's Committee on Judiciary Amendments dated March 7, 1974 in Section 1, Subsection 11, page 3, lines 15 and 16; and in Section 1, Subsection 16, page 4, lines 8 through 10; and

Further that the Joint Conference Committee recommends that House Bill No. 1101 be amended as follows:

Amend the third reading copy, page 2, Section 1, Subsection 4, line 16, following the word "water" by inserting a period "."; and on lines 17 and 18 by striking all the material contained therein in its entirety and inserting in lieu thereof the following material: "Provided however that such reservoir sites must possess a public use demonstrable to the district court as the highest and best use of the land."; and

Amend the third reading copy, page 3, Section 1, Subsection 5, line 3, following the word "water" by inserting a period "."; and on line 4 by striking this line in its entirety and inserting in lieu thereof the following: "Provided however that such reservoir sites must possess a public use demonstrable to the district court as the highest and best use of the land."; and

That House Bill No. 1101, as so amended, be concurred in.

FOR THE SENATE:

GILFEATHER

HARRISON

ROMNEY

FOR THE HOUSE:

SCHEPENS

LIEN

WALBORN

MESSAGES FROM THE OTHER HOUSE

March 14, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day on motion, duly carried, dissolved the Free Conference Committee on House Bill No. 732, and the President was authorized to appoint a new Free Conference Committee, and respectfully requests the House to appoint a like committee to confer on House Bill No. 732.

The President appointed the following members:

Senator McGowan, Chairman

Senator McCallum

Senator Bollinger

Respectfully yours,

JOHN N. HANSON

Secretary of the Senate

MOTIONS

Fasbender moved that the Speaker be authorized to appoint a Conference Committee to meet with a like committee from the Senate on House Bill No. 732.

Motion carried.

Fasbender moved that the rules be suspended and that House Bill No. 1125, Senate Bills Nos. 594, 629, 726, 729, 734, 742, 744, Senate Joint Resolution No. 69, Joint Conference Committee Reports on House Bills Nos. 507, 703, 705; and Joint Conference Committee Reports on Senate Bills Nos. 367 and 642 be placed on Second Reading for consideration this day.

Motion carried.

Lien moved that House Bill No. 1110 be taken from the Committee on Finance and Claims and placed on Second Reading for consideration this day.

Motion failed.

Fasbender moved that Senate Bill No. 741 be received by the House for introduction.

Motion carried. (63-9)

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following resolution was introduced, read first time and referred to committee:

House Resolution No. 92, introduced by House Committee on Judiciary: A Resolution of the House of Representatives of the State of Montana requesting the Committee on Priorities to consider requesting a joint standing committee be assigned the study of the problems involved in existing mental commitment procedures in Montana, and report its findings to the first session of the Forty-fourth Legislature with draft legislation. Referred to Committee on Rules.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Fasbender moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading under the rules of the previous sitting.

Motion carried.

Ulmer in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

March 14, 1974

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That Senate Bill No. 739 be concurred in. (79-0)

That House Bill No. 931 do pass. (71-0)

That Senate Joint Resolution No. 70 be amended on page 2, lines 8 and 10 of the third reading bill by omitting the word "six" and inserting in lieu thereof the word "four" (64-2), and

As amended, be concurred in. (75-0)

That Senate Amendments to House Bill No. 785 be concurred in. (67-1)

That Senate Amendments to House Bill No. 953 be concurred in. (67-0)

That House Resolution No. 80 be adopted. (69-0)

That House Resolution No. 82 be adopted. (69-0)

That Senate Bill No. 608 be concurred in. (53-37)

That House Bill No. 1125 do pass. (64-1)

That Senate Bill No. 629 be concurred in. (52-1)

That Senate Bill No. 729 be passed to the bottom of the board.

That Senate Bill No. 734 be concurred in. (50-37)

That Senate Bill No. 742 be concurred in. (69-0)

That Senate Joint Resolution No. 69 be concurred in. (61-23)

Lockrem replaces Ulmer in the Chair.

That Senate Bill No. 726 be concurred in. (65-0)

That Senate Bill No. 594 be amended in the title, lines 4 and 5 by deleting the words and figures "one hundred thousand dollars (\$100,000)" and inserting in lieu thereof the words and figures "one hundred ten thousand dollars (\$110,000)" (73-0), and

Further amend Section 1, line 11 by deleting the words and figures "one hundred thousand dollars (\$100,000)" and inserting in lieu thereof the words and figures: "one hundred ten thousand dollars (\$110,000)" (68-0), and

As amended, be concurred in. (79-0)

That Senate Bill No. 744 be concurred in. (75-0)

That the Free Joint Conference Committee Report on House Bill No. 507 be adopted. (58-24)

That the Free Joint Conference Committee Report on House Bill No. 703 be adopted. (52-40)

That the Free Joint Conference Committee Report on House Bill No. 705 be adopted. (60-33)

Ulmer resumes the Chair.

That the Free Joint Conference Committee Report on Senate Bill No. 367 be adopted. (77-2)

That the Free Joint Conference Committee Report on Senate Bill No. 642 be adopted. (80-0)

That Senate Bill No. 729 be concurred in. (67-17)

That the Committee rise and report.

ULMER, Chairman

Report adopted.

MOTIONS

Fasbender moved that the rules be suspended and that all bills passed on Second Reading this day be placed on Third Reading for consideration this day.

Motion carried.

Lynch moved that Senate Bill No. 456 be taken from the Conference Committee and the House recede from the House Amendments.

Motion withdrawn.

THIRD READING OF BILLS

The following bills, having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 931 was passed by the following vote:

Ayes: Ageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Selstad, Staigmilller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 88.

Noes: Burnett, Hubing, Smith, Walborn. Total 4.

Excused: Fagg, Hall, Seifert, Shelden, Zimmer. Total 5.

Absent or not voting: Campbell, Ellerd, Gunderson. Total 3.

House Bill No. 1130 was passed by the following vote:

Ayes: Ageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Selstad, Smith, Staigmilller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 92.

Noes: None.

Excused: Fagg, Hall, Seifert, Shelden, Zimmer. Total 5.

Absent or not voting: Campbell, Fasbender, Gunderson. Total 3.

Senate Bill No. 282 was concurred in by the following vote:

Ayes: Ageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, Edland, Ellerd, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Huennekens, Jacobsen, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Schepens, Schye, Smith, Staigmilller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 85.

Noes: Burnett, Rolfe, Selstad, Turner, Walborn. Total 5.

Excused: Fagg, Hall, Seifert, Shelden, Zimmer. Total 5.

Absent or not voting: Campbell, East, Gunderson, Hubing, Johnston. Total 5.

Senate Bill No. 531 was concurred in by the following vote:

Ayes: Ageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fasbender, Fleming, Flynn, Glennen, Greely, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Schepens, Schye, Smith, Staigmilller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 84.

Noes: Burnett, Forsgren, Galt, Healy, Kessner, Rolfe, Selstad, Walborn. Total 8.

Excused: Fagg, Hall, Seifert, Shelden, Zimmer. Total 5.

Absent or not voting: Brown, Campbell, Gunderson. Total 3.

Senate Bill No. 739 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosen, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Selstad, Smith, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 92.

Noes: None.

Excused: Fagg, Hall, Seifert, Shelden, Zimmer. Total 5.

Absent or not voting: Campbell, Gunderson, Schye. Total 3.

Senate Joint Resolution No. 70 was concurred in by the following vote:

Ayes: Aageson, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosen, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Selstad, Smith, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 92.

Noes: None.

Excused: Fagg, Hall, Seifert, Shelden, Zimmer. Total 5.

Absent or not voting: Ainsworth, Campbell, Gunderson. Total 3.

Senate Amendments to House Bill No. 785 were concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fasbender, Fleming, Flynn, Galt, Glennen, Greely, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosen, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Selstad, Smith, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 90.

Noes: None.

Excused: Fagg, Hall, Seifert, Shelden, Zimmer. Total 5.

Absent or not voting: Campbell, Forsgren, Gunderson, Norman, Schye. Total 5.

Senate Amendments to House Bill No. 953 were concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus,

Bell, Bennetts, Bradley, Brand, Brown, Burnett, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fasbender, Fleming, Flynn, Galt, Glennen, Greely, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Smith, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 89.

Noes: None.

Excused: Fagg, Hall, Seifert, Shelden, Zimmer. Total 5.

Absent or not voting: Campbell, Forsgren, Gunderson, Healy, Mercer, Selstad. Total 6.

Senate Bill No. 608 failed to pass by the following vote:

Ayes: Aageson, Barrett, Baucus, Bell, Brand, Brown, Burnett, Castles, Clemow, Cotton, Cox, East, Edland, Ellerd, Fagg, Forsgren, Galt, Hageman, Hager, R. Harper, Healy, Holtz, Hubing, Jacobsen, Johnston, Kessner, Kolstad, Laas, Lien, Lockrem, Lombardi, Lucas, Lundgren, McKittrick, Marks, Mercer, Murphy, Olson, Schye, Seifert, Selstad, Staigmillier, Stephens, Tierney, Turner, Ulmer. Total 46.

Noes: Ainsworth, Asbjornson, Baeth, Bardanouve, Bennetts, Bradley, Driscoll, Fasbender, Flynn, Glennen, Greely, Gunderson, Haines, Halvorson, H. Harper, Hodges, Holmes, Huennekens, Kendall, Kimble, Kosena, Kvaalen, Lee, Lynch, Mann, Manuel, Marbut, Mehrens, Menahan, Norman, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Smith, Stoltz, Swanberg, Towe, Turman, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 46.

Paired: Fagg, Seifert, Aye; Holmes, Yardley, Nay.

Excused: Hall, Shelden, Zimmer. Total 3.

Absent or not voting: Campbell, Colberg, Fleming, Jones, Lund. Total 5.

House Bill No. 1125 was passed by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Clemow, Cotton, Cox, Driscoll, East, Edland, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lombardi, Lund, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Schepens, Schye, Selstad, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Warfield, Watt, Yardley, Mr. Speaker. Total 82.

Noes: Kessner, Rolfe. Total 2.

Excused: Fagg, Hall, Seifert, Shelden, Zimmer. Total 5.

Absent or not voting: Campbell, Castles, Colberg, Ellerd, Gunderson, Lockrem, Lucas, Lundgren, Smith, Ulmer, Walborn. Total 11.

Senate Bill No. 629 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Castles, Clemow, Cotton, East, Edland, Ellerd, Fasbender, Fleming, Flynn, Glennen, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Jacobsen, Johnston, Jones, Kendall, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Schepens, Smith, Staigmillier, Stoltz, Swanberg, Tierney, Towe, Turner, Ulmer, Walborn, Warfield, Watt, Mr. Speaker. Total 73.

Noes: Brand, Brown, Burnett, Cox, Galt, Greely, Kessner, Lockrem, Manuel, Rolfe, Selstad, Stephens, Yardley. Total 13.

Excused: Fagg, Hall, Seifert, Shelden, Zimmer. Total 5.

Absent or not voting: Campbell, Colberg, Driscoll, Forsgren, Gunderson, Hubing, Huennekens, Schye, Turman. Total 9.

Senate Bill No. 734 was concurred in by the following vote:

Ayes: Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Brand, Castles, Cotton, Driscoll, Edland, Fasbender, Fleming, Flynn, Forsgren, Hageman, Hager, Haines, Halvorson, Healy, Holtz, Jacobsen, Johnston, Kendall, Kosenä, Kvaalen, Laas, Lee, Lien, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Mehrens, Menahan, Murphy, Olson, Prevost, Quilici, Regan, Roberts, Schepens, Schye, Staigmillier, Swanberg, Tierney, Turman, Turner, Ulmer, Warfield, Watt, Mr. Speaker. Total 57.

Noes: Aageson, Bennetts, Bradley, Brown, Burnett, Clemow, Colberg, Cox, East, Ellerd, Galt, Glennen, Greely, H. Harper, R. Harper, Hodges, Holmes, Hubing, Huennekens, Jones, Kessner, Kimble, Kolstad, Lockrem, Marks, Mercer, Norman, Rolfe, Selstad, Smith, Stephens, Stoltz, Towe, Walborn, Yardley. Total 34.

Excused: Fagg, Hall, Seifert, Shelden, Zimmer. Total 5.

Absent or not voting: Campbell, Gunderson, Mann. Total 3.

Senate Bill No. 742 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosenä, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Selstad, Smith, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 94.

Noes: None.

Excused: Fagg, Hall, Seifert, Shelden, Zimmer. Total 5.

Absent or not voting: Campbell. Total 1.

Senate Joint Resolution No. 69 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brown, Burnett, Castles, Clemow, Colberg, Cotton, Driscoll, East, Edland, Fasbender, Fleming, Flynn, Greely, Gunderson, Hageman, Hager, Haines, R. Harper, Healy, Hodges, Holtz, Huennekens, Johnston, Kendall, Kimble, Kolstad, Kosenä, Kvaalen, Laas, Lee, Lombardi, Lucas, Lundgren, Lynch, McKittrick, Mann, Marbut, Marks, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Ulmer, Warfield, Yardley, Mr. Speaker. Total 69.

Noes: Brand, Cox, Galt, Glennen, Halvorson, H. Harper, Holmes, Hubing, Jacobsen, Kessner, Lien, Lockrem, Lund, Manuel, Mercer, Schepens, Schye, Selstad, Smith, Walborn, Watt. Total 21.

Excused: Fagg, Hall, Seifert, Shelden, Zimmer. Total 5.

Absent or not voting: Campbell, Ellerd, Forsgren, Jones, Turner. Total 5.

Senate Bill No. 726 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen,

Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Schepens, Schye, Selstad, Smith, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 92.

Noes: Rolfe. Total 1.

Excused: Fagg, Hall, Seifert, Shelden, Zimmer. Total 5.

Absent or not voting: Burnett, Campbell. Total 2.

Senate Bill No. 594 was concurred in by the following vote:

Ayes: Ageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Selstad, Smith, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 94.

Noes: None.

Excused: Fagg, Hall, Seifert, Shelden, Zimmer. Total 5.

Absent or not voting: Campbell. Total 1.

Senate Bill No. 744 was concurred in by the following vote:

Ayes: Ageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Selstad, Smith, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 94.

Noes: None.

Excused: Fagg, Hall, Seifert, Shelden, Zimmer. Total 5.

Absent or not voting: Campbell. Total 1.

The Joint Conference Committee Report on House Bill No. 507 was adopted by the following vote:

Ayes: Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Brown, Burnett, Castles, Clemow, Colberg, Cotton, Driscoll, Edland, Fasbender, Fleming, Galt, Glennen, Gunderson, Hageman, Haines, H. Harper, Hodges, Hubing, Huennekens, Johnston, Kendall, Kessner, Kimble, Kolstad, Kvaalen, Laas, Lien, Lucas, Lund, Lundgren, Mann, Manuel, Marks, Norman, Prevost, Regan, Rolfe, Schepens, Schye, Selstad, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 60.

Noes: Ageson, Bradley, Brand, Cox, Ellerd, Flynn, Forsgren, Greely, Hager, Halvorson, R. Harper, Healy, Holtz, Jacobsen, Kosena, Lee, Lockrem, Lombardi, Lynch, McKittrick, Marbut, Mehrens, Menahan, Mercer, Olson, Quilici, Roberts, Smith, Walborn. Total 29.

Excused: Fagg, Hall, Seifert, Shelden, Zimmer. Total 5.

Absent or not voting: Ainsworth, Campbell, East, Holmes, Jones, Murphy. Total 6.

The Joint Conference Committee Report on House Bill No. 703 was adopted by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Bell, Burnett, Castles, Cotton, Driscoll, East, Edland, Fasbender, Fleming, Galt, Gunderson, Hageman, Haines, Hodges, Hubing, Huennekens, Johnston, Kendall, Kessner, Kimble, Kolstad, Laas, Lien, Lucas, Lund, Mann, Manuel, Norman, Prevost, Regan, Rolfe, Schepens, Schye, Staigmillar, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Yardley. Total 49.

Noes: Barrett, Baucus, Bennetts, Bradley, Brand, Brown, Clemow, Colberg, Cox, Ellerd, Flynn, Forsgren, Glennen, Greely, Hager, Halvorson, H. Harper, R. Harper, Healy, Holmes, Holtz, Jacobsen, Kosena, Kvaalen, Lee, Lockrem, Lombardi, Lundgren, Lynch, McKittrick, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Olson, Quilici, Roberts, Selstad, Smith, Walborn, Watt, Mr. Speaker. Total 44.

Excused: Fagg, Hall, Seifert, Shelden, Zimmer. Total 5.

Absent or not voting: Campbell, Jones. Total 2.

The Joint Conference Committee Report on House Bill No. 705 was adopted by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Bell, Brown, Burnett, Cotton, Driscoll, East, Fasbender, Fleming, Galt, Gunderson, Hageman, Haines, Hodges, Holtz, Hubing, Huennekens, Johnston, Kendall, Kessner, Kimble, Kolstad, Kosena, Laas, Lien, Lockrem, Lucas, Lund, Lundgren, Mann, Manuel, Mehrens, Menahan, Mercer, Norman, Prevost, Regan, Rolfe, Schepens, Schye, Staigmillar, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Watt, Yardley, Mr. Speaker. Total 56.

Noes: Barrett, Baucus, Bennetts, Bradley, Brand, Castles, Clemow, Colberg, Cox, Edland, Ellerd, Flynn, Forsgren, Glennen, Greely, Hager, Halvorson, H. Harper, R. Harper, Healy, Holmes, Jacobsen, Kvaalen, Lee, Lombardi, Lynch, McKittrick, Marbut, Marks, Murphy, Olson, Quilici, Roberts, Smith, Walborn, Warfield. Total 36.

Excused: Fagg, Hall, Seifert, Shelden, Zimmer. Total 5.

Absent or not voting: Campbell, Jones, Selstad. Total 3.

The Joint Conference Committee Report on Senate Bill No. 367 was adopted by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Baucus, Bell, Bennetts, Bradley, Brown, Castles, Clemow, Colberg, Cox, Driscoll, East, Edland, Ellerd, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Schepens, Schye, Staigmillar, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 83.

Noes: Barrett, Brand, Kessner, Marbut, Rolfe, Selstad, Smith, Walborn. Total 8.

Excused: Fagg, Hall, Seifert, Shelden, Zimmer. Total 5.

Absent or not voting: Burnett, Campbell, Cotton, Lockrem. Total 4.

The Joint Conference Committee Report on Senate Bill No. 642 was adopted by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Norman, Olson, Prevost, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Selstad, Smith, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 91.

Noes: None.

Excused: Fagg, Hall, Seifert, Shelden, Zimmer. Total 5.

Absent or not voting: Campbell, Huennekens, Lockrem, Mercer. Total 4.

Senate Bill No. 729 was concurred in by the following vote:

Ayes: Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bradley, Burnett, Castles, Clemow, Colberg, Cotton, Driscoll, East, Edland, Fasbender, Flynn, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Kendall, Kimble, Kosena, Lee, Lien, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Norman, Olson, Quilici, Regan, Roberts, Schepens, Schye, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Watt, Mr. Speaker. Total 72.

Noes: Aageson, Brand, Brown, Cox, Ellerd, Fleming, Forsgren, Jones, Kessner, Kolstad, Kvaalen, Rolfe, Selstad, Smith, Walborn, Warfield, Yardley. Total 17.

Excused: Fagg, Hall, Seifert, Shelden, Zimmer. Total 5.

Absent or not voting: Bennetts, Campbell, Laas, Lockrem, Mercer, Prevost. Total 6.

COMMUNICATIONS AND PETITIONS

The Speaker appointed the following New Free Conference Committee to meet with a like committee from the Senate on House Bill No. 732: Lien, Chairman; Gunderson and Lund.

REPORTS OF STANDING COMMITTEES

March 14, 1974

I have examined House Bill No. 867 introduced by me and find the same to be correct.

McKITTRICK

March 14, 1974

I have examined House Resolution No. 71 introduced by me and find the same to be correct.

BELL

March 14, 1974

I have examined House Resolution No. 62 introduced by me and find the same to be correct.

FASBENDER

March 14, 1974

I have examined House Resolution No. 69 introduced by me and find the same to be correct.

CLEWOW

March 14, 1974

I have examined House Bill No. 1013 introduced by me and find the same to be correct.

LYNCH

March 14, 1974

I have examined House Joint Resolution No. 54 introduced by me and find the same to be correct.

COLBERG

March 14, 1974

I have examined House Bill No. 949 introduced by me and find the same to be correct.

ROBERTS

March 14, 1974

I have examined House Bill No. 932 introduced by me and find the same to be correct.

BELL

March 14, 1974

I have examined House Bill No. 1099 introduced by me and find the same to be correct.

LEE

March 14, 1974

I have examined House Bill No. 1089 introduced by me and find the same to be correct.

McKITTRICK

March 14, 1974

I have examined House Bill No. 777 introduced by me and find the same to be correct.

FORSGREN

March 14, 1974

I have examined House Bill No. 1068 introduced by me and find the same to be correct.

EDLAND

March 14, 1974

I have examined House Bill No. 955 introduced by me and find the same to be correct.

NORMAN

March 14, 1974

I have examined House Joint Resolution No. 81 introduced by me and find the same to be correct.

FASBENDER

March 14, 1974

I have examined House Resolution No. 45 introduced by me and find the same to be correct.

ULMER

March 14, 1974

I have examined House Bill No. 749 introduced by me and find the same to be correct.

R. HARPER

March 14, 1974

I have examined House Bill No. 466 introduced by me and find the same to be correct.

MARKS

March 14, 1974

I have examined House Bill No. 681 introduced by me and find the same to be correct.

GERKE

March 14, 1974

I have examined House Bill No. 894 introduced by me and find the same to be correct.

LAAS

March 14, 1974

I have examined House Bill No. 1111 introduced by me and find the same to be correct.

WATT

March 14, 1974

I have examined House Resolution No. 73 introduced by me and find the same to be correct.

WATT

March 14, 1974

I have examined House Bill No. 682 introduced by me and find the same to be correct.

GREELY

March 14, 1974

I have examined House Bill No. 1003 introduced by me and find the same to be correct.

HOLMES

March 14, 1974

I have examined House Resolution No. 77 introduced by me and find the same to be correct.

GUNDERSON

March 14, 1974

I have examined House Bill No. 924 introduced by me and find the same to be correct.

HALVORSON

March 14, 1974

I have examined House Bill No. 1117 introduced by me and find the same to be correct.

FLEMING

March 14, 1974

I have examined House Bill No. 692 introduced by me and find the same to be correct.

GERKE

March 14, 1974

I have examined House Resolution No. 74 introduced by me and find the same to be correct.

BARRETT

March 14, 1974

I have examined House Bill No. 1066 introduced by me and find the same to be correct.

BAUCUS

March 14, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills and resolutions correctly enrolled: House Bill No. 466, House Bill No. 681, House Bill No. 682, House Bill No. 692, House Bill No. 749, House Bill No. 777, House Bill No. 867, House Bill No. 894, House Bill No. 924, House Bill No. 932, House Bill No. 949, House Bill No. 955, House Bill No. 1003, House Bill No. 1013, House Bill No. 1066, House Bill No. 1068, House Bill No. 1089, House Bill No. 1099, House Bill No. 1111, House Bill No. 1117, House Resolution No. 45, House Resolution No. 62, House Resolution No. 69, House Resolution No. 71, House Resolution No. 73, House Resolution No. 74, House Resolution No. 77, House Joint Resolution No. 54, House Joint Resolution No. 81.

QUILICI, Chairman

March 14, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following resolutions correctly printed: House Resolution No. 83, House Resolution No. 84, House Resolution No. 85, House Resolution No. 87.

QUILICI, Chairman

March 14, 1974

The following bills and resolutions will be signed on adjournment on March 14, 1974, in the office of the Speaker of the House of Representatives: House Bill No. 466, House Bill No. 681, House Bill No. 682, House Bill No. 692, House Bill No. 749, House Bill No. 777, House Bill No. 867, House Bill No. 894, House Bill No. 924, House Bill No. 932, House Bill No. 949, House Bill No. 955, House Bill No. 1003, House Bill No. 1013, House Bill No. 1066, House Bill No. 1068, House Bill No. 1089, House Bill No. 1099, House Bill No. 1111, House Bill No. 1117, House Resolution No. 45, House Resolution No. 62, House Resolution No. 69, House Resolution No. 71, House Resolution No. 73, House Resolution No. 74, House Resolution No. 77, House Joint Resolution No. 54, House Joint Resolution No. 81, Senate Bill No. 42, Senate Bill No. 471, Senate Bill No. 503, Senate Bill No. 525, Senate Bill No. 559, Senate Bill No. 562, Senate Bill No. 630, Senate Bill No. 641, Senate Bill No. 679, Senate Bill No. 685, Senate Bill No. 702.

EDWIN A. SMITH, Chief Clerk
House of Representatives

March 14, 1974

Mr. Speaker: We, your Committee on Finance and Claims, having had under consideration Senate Bill No. 532, respectfully report as follows: That Senate Bill No. 532 be amended as follows:

Amend the third reading copy of Senate Bill No. 532, Section 12, page 5, line 19 by striking the numbers "84,257" and "83,439" and inserting in lieu thereof the numbers "28,679" and "1,062", and

Further amend on page 5 by striking lines 21 and 22, and

Further amend on page 5, line 25 by striking the numbers "118,833" and "296,968" and inserting in lieu thereof the numbers "90,460" and "281,840", and

Further amend on page 6 by striking lines 1 and 2, and

Further amend on page 6, line 4 by striking the numbers "55,873" and 80,170" and inserting in lieu thereof the numbers "17,664" and "70,658", and

Further amend on page 6 by striking lines 5, 6, 7, and 8, and

Further amend on page 7, line 16 by inserting the following:
"Alcoholic Treatment Program, From General Fund -0- 200,000",
and

Further amend on page 9, after line 25 by inserting:
"From General Fund 1,577 1,656", and

Further amend on page 10, line 6 by striking the number "3,340,350" and inserting in lieu thereof the number "876,747", and

Further amend on page 10, line 9 by striking the number "96,103" and inserting in lieu thereof the number "113,100", and

As amended, be concurred in.

BARDANOUE, Chairman

Report adopted.

March 14, 1974

Mr. Speaker: We, your Committee on Finance and Claims, having had under consideration Senate Bill No. 533, respectfully report as follows: That Senate Bill No. 533 be amended as follows:

Amend Section 13, page 7, following line 7 of the third reading bill, by inserting the following new material:

"Department of State Lands

For Implementation of House Bill No. 628

Providing for Designation of Natural Areas

From General Fund	20,000	-0-
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Blue Ribbon Committee

Study Mental Health Services

From General Fund	5,000	5,000
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Department of Labor and Industry

For Implementation of Civil Rights
Commission

From General Fund	-0-	61,000
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Department of Justice

For Patrol Operations Program
For Purposes of Payment of Highway
Patrol Retirement Contributions

From General Fund	-0-	302,000
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From Earmarked Revenue Fund Highway Fund	-0-	50,000
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Legislative Council

For Roll Call Machine

From General Fund	-0-	12,500
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For Improving Sound System

From General Fund -0- 7,500" , and
As amended, be concurred in.

BARDANOUE, Chairman

Report adopted.

March 14, 1974

Mr. Speaker: We, your Committee on Finance and Claims, having had under consideration Senate Bill No. 644, respectfully report as follows: That Senate Bill No. 644 be not concurred in.

BARDANOUE, Chairman

March 14, 1974

Mr. Speaker: We, your Committee on Finance and Claims, having had under consideration Senate Bill No. 730, respectfully report as follows: That Senate Bill No. 730 be concurred in.

BARDANOUE, Chairman

Report adopted.

March 14, 1974

Mr. Speaker: We, your Committee on Taxation, having had under consideration Senate Bill No. 741, respectfully report as follows: That Senate Bill No. 741 be concurred in.

WATT, Chairman

Report adopted.

Objection raised by Baucus on adverse committee report on Senate Bill No. 727.
Referred to Second Reading.

Objection raised by Lynch on adverse committee report on Senate Bill No. 644.
Referred to Second Reading.

REPORTS OF SELECT COMMITTEES

March 14, 1974

Joint Conference Committee Report House Bill No. 665

Mr. President and Speaker of the House:

We, your Joint Conference Committee met March 13, 1974 and recommend as follows:

That the House accedes to the Senate Committee on Judiciary Amendments to House Bill No. 665 dated March 6, 1974, with the following exceptions and amendments:

The first paragraph, page 1, of the Senate Amendments is omitted in its entirety.

The fifth paragraph, page 1 of the Senate Amendments, lines 4 through 11, is amended by omitting the words "However, fire department relief associations in municipalities other than in first and second class cities may transfer their funds to the state treasurer for investment by the state board of investments as is provided in the provisions of this section for associations in first and second class cities; and said relief associations shall submit an annual financial statement detailing the status of their funds and investments to the department of intergovernmental relations." and inserting in lieu thereof the following:

"Provided, however, that when the average yield on investments of public retirement funds under the state board of investments exceeds by one percent (1%) in any fiscal year the investment yield of said fire department relief association funds such funds shall be remitted to the state treasurer for investment by the state

board of investments as is provided in the provisions of this section for associations in first and second class cities; and said fire department relief association shall submit every six (6) months a financial statement detailing their investments to the department of intergovernmental relations; and the department shall advise said fire department relief association of the current yield of investment of public retirement funds.", and

That House Bill No. 665, as so amended, be concurred in.

FOR THE SENATE:

JAMES

HAZELBAKER

SHEA

FOR THE HOUSE:

BARDANOUVE

ULMER

REGAN

Report adopted.

March 14, 1974

Free Joint Conference Committee Report No. 2
House Bill No. 732

Mr. President and Speaker of the House:

We, your Free Joint Conference Committee on House Bill No. 732, beg leave to report as follows:

That the Senate recede from paragraph 1 of its Committee on Natural Resources Amendments dated February 23, 1974, and that House Bill No. 732 be amended in lieu thereof as follows:

Amend Section 1, page 2, line 18, following word and punctuation "hole," by inserting the following material: "unless the surface owner agrees in writing, with the approval of the board or its representative, to a different plan of restoration," and

That the House accede to paragraphs 2 and 3 of the Senate amendments, and

That House Bill No. 732, as so amended, be concurred in.

FOR THE SENATE:

McGOWAN

BOLLINGER

McCALLUM

FOR THE HOUSE:

LIEN

GUNDERSON

LUND

Report adopted.

Joint Conference Committee Report
House Bill No. 755

To the President of the Senate and the Speaker of the House:

We, your Joint Senate and House Conference Committee met March 14, 1974, and considered the Senate Committee on Agriculture, Livestock and Irrigation Amendments to House Bill No. 755 dated March 2, 1974, and recommend as follows:

That the House accede to the first three Senate Amendments to the title of House Bill No. 755, and

That the fourth Senate Amendment to the title of House Bill No. 755 be amended after the last line of said Amendment by adding the following: "; and providing effective and termination dates", and

That the House accede to the Senate Amendments to House Bill No. 755, Sections 1, 2 and 3, and

That the House accede to the Senate Amendments to House Bill No. 755, Section 4, Subsections (1), (2) and (3), and

That the Senate recede from its Amendment to Section 4, Subsections (4), (5), (6) and (7) of House Bill No. 755, and insert in lieu thereof the following material:

"(4) The council may recommend the appointment of an administrator of saline-alkali control programs by the commissioner of state lands.

(5) The council shall advise the commissioner of state lands as to budget requests, proposed legislation and other policies, all in connection with the programs authorized by this act.

(6) The council is designated as a quasi-judicial board for purposes of section 82A-112. Any farmer, stockman or landowner affected by operation of this act is entitled to file a complaint with the council and to be heard under the provisions of the Montana Administrative Procedure Act. The council may instruct the department(s) concerned to take corrective action to resolve grievances that are found to be valid.

(7) The council may be assisted and supported by an intergovernmental saline-alkali technical advisory committee appointed by the governor as prescribed in section 82A-110, R.C.M. 1947. Within the rules, policies, per diem, expense and pay costs of their respective agencies, the heads of Montana state offices or regional offices of the following agencies or their designated representatives may serve on the technical advisory committee:", and

That the House accede to the Senate Amendments to House Bill No. 755, Section 4, Subsections (7)(a) through (j), and

That the Senate recede from its Amendments to House Bill No. 755, Section 5, and insert in lieu thereof the following material:

"Section 5. Duties of commissioner. The commissioner of state lands shall have, subject to and within the framework of the comprehensive plan adopted by the saline-alkali planning council, the following duties:

The commissioner shall:", and

That the House accede to the Senate Amendments to House Bill No. 755, Section 5, Subsections (1), (2) and (3), and

That the Senate recede from its Amendments to House Bill No. 755, Section 5, Subsections (4) and (5), and insert in lieu thereof the following material:

"(4) devote special attention to agricultural practices including erosion control, dryland farming, improved farm management, irrigation and improved water management, and range renovation and management in an effort to develop remedial procedures for the control and correction of saline-alkali damage. Correction of saline-alkali damage, as related to dryland farming, shall be included in this function of the commissioner;

(5) coordinate efforts and resources of state agencies, including the university system, and cooperate with federal agencies to insure that there is a minimum of duplication and that available expertise of the appropriate state and federal agencies is utilized in carrying out the purposes of this act. The commissioner shall also actively involve landowners, farmers and stockmen in decisions leading to a solution of saline-alkali problems:", and

That the House accede to the Senate Amendments to House Bill No. 755, Section 5, Subsections (6), (7), (8), (9), (10), (11) and (12), and

That the Senate recede from the Amendment to House Bill No. 755, Section 6, and insert in lieu thereof the following material:

"Section 6. Powers of the commissioner. In performing his duties under section 5 of this act, the commissioner may:", and

That the House accede to the Senate Amendments to House Bill No. 755, Section 6, Subsections (1) and (2), and

That a new Section 7 be added to read as follows:

"Section 7. Effective and termination dates. This act shall, upon passage and

approval, become effective immediately and shall terminate July 1, 1977, unless further extended by law.", and

That House Bill No. 755 as so amended, be concurred in.

FOR THE SENATE:

GRAHAM

BOLLINGER

DARROW

FOR THE HOUSE:

GUNDERSON

TURMAN

STEPHENS

Report adopted.

MESSAGES FROM THE GOVERNOR

March 14, 1974

Honorable Harold Gerke
Speaker of the House of Representatives
Capitol
Helena, Montana

Dear Mr. Speaker:

I have the honor to inform you that I have this day approved the following measures:

House Bills Nos.: 741, 794 and 991.

Sincerely,

THOMAS L. JUDGE
Governor

cc: Honorable Gordon McOmber

March 14, 1974

Honorable Gordon McOmber
President of the Senate
State Capitol
Helena, Montana

Dear Mr. President:

I have the honor to inform you that I have this day approved the following measures:

Senate Bills Nos.: 493, 504, 506, 526, 536, 542, 558, 572, 588, 649, 651, 671, 689 and 698.

Sincerely

THOMAS L. JUDGE
Governor

cc: Honorable Harold Gerke

MESSAGES FROM THE OTHER HOUSE

March 14, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills and Resolution were this day read third time, and concurred in as amended, titles and history agreed to, and the said bills and resolution are herewith returned to the House for concurrence in Senate Amendments:

House Bill No. 412 introduced by Marbut, Healy, et al

House Bill No. 746 introduced by Bardanouve and Fleming

House Bill No. 747 introduced by Bardanouve and Laas

House Bill No. 748 introduced by Bardanouve and Kosena

House Bill No. 799 introduced by Swanberg

House Bill No. 891 introduced by Driscoll, Haines, et al

House Joint Resolution No. 47 introduced by Marbut, Norman, et al

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

March 14, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bill was this day read three several times, and passed, title and history agreed to, and the said bill is herewith transmitted to the House for concurrence:

Senate Bill No. 745 introduced by McCallum, Moore, et al

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

March 14, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills and House Joint Resolution were this day read third time, and concurred in, titles and history agreed to, and the bills and resolution are herewith returned to the House:

House Bill No. 460 introduced by Cox, Lucas, et al

House Bill No. 1121 introduced by Cox, Kvaalen, et al

House Bill No. 1128 introduced by Kosena, Haines, et al

House Joint Resolution No. 67 introduced by Marbut and Driscoll

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

March 14, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Conference Committee Report on House Amendments to Senate Bill No. 599 was this day on third reading, adopted on roll call vote.

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

March 14, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was this day on Committee report, not concurred in, report adopted, and the said bill is herewith returned to the House:

House Bill No. 906 introduced by Brand, Driscoll and Roberts

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

March 14, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Free Conference Committee Reports were this day on third reading, adopted, on roll call vote:

Free Conference Committee report on Senate Bill No. 367

Free Conference Committee report on Senate Bill No. 642

Free Conference Committee report on House Bill No. 507

Free Conference Committee report on House Bill No. 694

Free Conference Committee report on House Bill No. 703

Free Conference Committee report on House Bill No. 705

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

March 14, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day failed to concur in House Amendments to Senate Bill No. 743, and the President was authorized to appoint a Conference Committee, and respectfully requests the House to appoint a like committee to confer on House Amendments to Senate Bill No. 743.

The President appointed the following members:

Senator Graham, Chairman
Senator Sorensen
Senator Northey

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

March 14, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day on motion, duly carried, dissolved the Free Conference Committee on House Bill No. 1048, and on motion, duly carried, no new Conference Committee was appointed.

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

MOTIONS

Smith, having voted on the prevailing side in failing to pass Senate Bill No. 608 on Third Reading, moved that the House reconsider its action.

Motion carried.

THIRD READING OF BILLS

The following bill having been read three several times, title and history agreed to, was disposed of in the following manner:

Senate Bill No. 608 was concurred in by the following vote:

Ayes: Aageson, Ainsworth, Barrett, Baucus, Bell, Brand, Brown, Burnett, Campbell, Castles, Clemow, Cotton, Cox, East, Edland, Ellerd, Fagg, Forsgren, Galt, Glennen, Hageman, Hager, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Kessner, Kolstad, Laas, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, McKittrick, Marks, Mercer, Murphy, Norman, Olson, Schye, Seifert, Selstad, Smith, Staigmilller, Stephens, Tierney, Turner, Ulmer, Warfield. Total 52.

Noes: Asbjornson, Baeth, Bardanouve, Bennetts, Bradley, Driscoll, Fasbender, Fleming, Flynn, Greely, Gunderson, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Kendall, Kimble, Kosena, Kvaalen, Lee, Lynch, Manuel, Marbut, Menahan, Prevost, Quilici, Regan, Roberts, Schepens, Shelden, Stoltz, Swanberg, Towe, Turman, Watt, Yardley, Mr. Speaker. Total 40.

Paired: Cox, Fagg, Seifert, Aye; Holmes, Quilici, Shelden, Nay.

Excused: Hall, Zimmer. Total 2.

Absent or not voting: Colberg, Jones, Mann, Mehrens, Rolfe, Walborn. Total 6.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following bill was introduced, read first time and referred to committee:

Senate Bill No. 745, introduced by McCallum, Moore, Mathers, Rosell, Himsl, Deschamps: A bill for an act entitled: "An act to appropriate moneys to the State Auditor for the biennium ending June 30, 1975; and providing for other matters relating to the appropriations; and providing an effective date." Referred to Committee on Finance and Claims.

Fasbender moved that the House adjourn until 10:30 a.m., March 15, 1974.

Motion carried.

House adjourned.

HAROLD E. GERKE, Speaker

EDWIN A. SMITH, Chief Clerk

FIFTY-NINTH LEGISLATIVE DAY

Helena, Montana
March 15, 1974

House Chambers
Capitol Building

House convened at 10:30 a.m., Mr. Speaker in the Chair.

Invocation by Reverend James Hunter.

Pledge of Allegiance to the Flag.

Roll call. All members present except Hall, Seifert, Shelden and Zimmer, all excused.

Quorum present.

Mr. Speaker: We, your Committee on Bills and Journal, having examined the daily journal for the Fifty-eighth Legislative Day, find the same to be correct.

QUILICI, Chairman

REPORTS OF STANDING COMMITTEES

March 15, 1974

The following bills and resolutions were signed in the office of the Speaker of the House of Representatives on March 14, 1974: House Bill No. 466, House Bill No. 681, House Bill No. 682, House Bill No. 692, House Bill No. 749, House Bill No. 777, House Bill No. 867, House Bill No. 894, House Bill No. 924, House Bill No. 932, House Bill No. 949, House Bill No. 955, House Bill No. 1003, House Bill No. 1013, House Bill No. 1066, House Bill No. 1068, House Bill No. 1089, House Bill No. 1099, House Bill No. 1111, House Bill No. 1117, House Resolution No. 45, House Resolution No. 62, House Resolution No. 69, House Resolution No. 71, House Resolution No. 73, House Resolution No. 74, House Resolution No. 77, House Joint Resolution No. 54, House Joint Resolution No. 81, Senate Bill No. 42, Senate Bill No. 471, Senate Bill No. 503, Senate Bill No. 525, Senate Bill No. 559, Senate Bill No. 562, Senate Bill No. 630, Senate Bill No. 641, Senate Bill No. 679, Senate Bill No. 685, Senate Bill No. 702.

EDWIN A. SMITH, Chief Clerk
House of Representatives

March 14, 1974

Mr. Speaker: We, your Committee on Finance and Claims, having had under consideration House Bill No. 1118, respectfully report as follows: That House Bill No. 1118 do pass.

BARDANOUE, Chairman

Report adopted.

March 15, 1974

Mr. Speaker: We, your Committee on Finance and Claims, having had under consideration House Bill No. 1132, respectfully report as follows: That House Bill No. 1132 be amended as follows:

Amend the title, line 7 of the introduced bill, by omitting the period and the quotation mark", "" and insert the following new material and punctuation: "; and providing an effective date.", and

Amend Section 1, line 17 by omitting the word "custodial", and

Further amend on page 2, after line 3 by adding the following new section:

"Section 3. This act is effective on its passage and approval.", and

As amended, do pass.

BARDANOUE, Chairman

Report adopted.

MESSAGE FROM THE OTHER HOUSE

March 14, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day on Committee Report, not concurred in, reports adopted, and the said bills are herewith returned to the House:

House Bill No. 760 introduced by Campbell, H. Harper, et al

House Bill No. 1046 introduced by Baucus

House Bill No. 1126 introduced by Bardanoue and Brand

Respectfully yours,
JOHN N. HANSON
Secretary of the Senate

MOTIONS

Watt moved that the House of Representatives of the State of Montana request the Priorities Committee to designate an appropriate standing committee to make, in cooperation with the Department of Revenue, the Department of Conservation and Natural Resources, and other interested parties, a comprehensive study of the existing timber taxation structure in Montana together with alternative plans of timber taxation, and to prepare recommendations for consideration by the 1975 legislative session.

Motion carried.

Towe moved that the rules be suspended and that House Bill No. 1132 be placed on Second Reading above all Senate Bills for consideration this day.

Motion carried.

Swanberg moved that the Speaker be authorized to appoint a Conference Committee to meet with a like committee from the Senate on House Amendments to Senate Bill No. 743.

Motion carried.

SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)

Swanberg moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading under the rules of the previous sitting.

Motion carried.

Lynch in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

March 15, 1974

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That House Resolution No. 83 be adopted. (68-2)

That House Resolution No. 84 be adopted. (77-0)

That House Resolution No. 85 be adopted. (75-0)

That House Resolution No. 87 be adopted. (57-9)

That House Bill No. 1132 do pass. (54-25)

That Senate Bill No. 532 be concurred in. (89-0)

Murphy replaces Lynch in the Chair.

That Senate Bill No. 533 be concurred in. (71-21)

That the committee rise and report and beg leave to sit again.

MURPHY, Chairman

Report adopted.

UNFINISHED BUSINESS

Speaker Pro Tempore in the Chair.

The Speaker appointed the following Conference Committee to meet with a like committee from the Senate on House Amendments to Senate Bill No. 743: Roberts, Chairman; Yardley and Warfield.

MOTIONS

Marks moved that the rules be suspended and that House Bill No. 1118 be placed on Second Reading for consideration this day.

Motion carried.

Fasbender moved that the House recess until 1:30 p.m.

Motion carried.

House recessed.

House resumed.

Mr. Speaker in the Chair.

Prevost excused at this time.

REPORTS OF STANDING COMMITTEES

March 15, 1974

Mr. Speaker: We, your Committee on Finance and Claims, having had under consideration House Bill No. 1115, respectfully report as follows: That House Bill No. 1115 be amended as follows:

Amend the title of the introduced bill on lines 4 and 5 by omitting the words and figures "six hundred eight thousand dollars (\$608,000)" and inserting in lieu thereof "one hundred thousand dollars (\$100,000)", and

Amend Section 1, line 12 by omitting the following words and figures "six hundred eight thousand dollars (\$608,000)" and inserting in lieu thereof the words and figures "one hundred thousand dollars (\$100,000)", and

As amended, do pass.

BARDANOUVE, Chairman

Report adopted.

March 15, 1974

Mr. Speaker: We, your Committee on Finance and Claims, having had under consideration House Bill No. 1133, respectfully report as follows: That House Bill No. 1133 be amended as follows:

Amend the title, line 6 of the introduced bill by omitting after the word "drafting" the words "and printing of" and inserting in lieu thereof the words and punctuation " , printing, and distribution to local governments units of", and

Amend Section 1, page 1, line 13 of the introduced bill after the word "drafting" by omitting the words "and printing of" and inserting in lieu thereof the words and punctuation " , printing, and distribution to local government units of", and

Amend Section 2, page 1, line 17, after the word "preparation" by inserting the words "and distribution to local government units", and

Further amend the introduced bill, page 1, following line 19 by inserting a new section as follows:

"Section 3. The legislative council may charge local government units for the purchase of the maps.", and

Further amend by renumbering all subsequent sections, and

As amended, do pass.

BARDANOUVE, Chairman

Report adopted.

March 15, 1974

Mr. Speaker: We, your Committee on Highways and Transportation, having had

under consideration House Resolution No. 86, respectfully report as follows: That House Resolution No. 86 do pass.

LAAS, Chairman

Report adopted.

March 14, 1974

Mr. Speaker: We, your Committee on Finance and Claims, having had under consideration House Bill No. 1131, respectfully report as follows: That House Bill No. 1131 do not pass.

BARDANOUE, Chairman

March 15, 1974

Mr. Speaker: We, your Committee on Finance and Claims, having had under consideration House Bill No. 1113, respectfully report as follows: That House Bill No. 1113 do not pass.

BARDANOUE, Chairman

March 15, 1974

Mr. Speaker: We, your Committee on Finance and Claims, having had under consideration House Bill No. 1123, respectfully report as follows: That House Bill No. 1123 do not pass.

BARDANOUE, Chairman

MOTIONS

Fasbender moved that the rules be suspended and that all bills passed on Second Reading this day be placed on Third Reading for consideration this day.

Motion carried.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Fasbender moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading under the rules of the previous sitting.

Motion carried.

Murphy in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

March 15, 1974

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

Shelden present at this time.

That Senate Bill No. 644 be concurred in. (49-42)

Lynch replaces Murphy in the Chair.

That Senate Bill No. 727 be concurred in. (59-30)

That Senate Bill No. 730 be not concurred in. (53-31)

That Senate Bill No. 741 be concurred in. (82-1)

That House Bill No. 1118 do pass. (71-16)

That Senate Amendments to House Bill No. 412 be concurred in. (71-0)

That Senate Amendments to House Bill No. 746 be concurred in. (74-0)

That the committee rise and report and beg leave to sit again.

MURPHY, Chairman

Report adopted.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

Aageson and Kolstad excused at this time.

House Bill No. 1132 was passed by the following vote:

Ayes: Ainsworth, Asbjornson, Baeth, Bardanouve, Baucus, Bennetts, Bradley, Brown, Castles, Clemow, Colberg, Cox, Driscoll, Fagg, Fasbender, Fleming, Flynn, Glennen, Greely, Gunderson, Hageman, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Kendall, Kimble, Kosen, Laas, Lee, Lien, Lombardi, Lucas, Lundgren, Lynch, Mann, Manuel, Marbut, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Quilici, Regan, Roberts, Schepens, Shelden, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Warfield, Yardley. Total 65.

Noes: Barrett, Bell, East, Ellerd, Galt, Hager, Jones, Kessner, Kvaalen, Lockrem, Lund, Marks, Rolfe, Schye, Selstad, Smith, Turner, Ulmer, Walborn, Mr. Speaker. Total 20.

Excused: Aageson, Hall, Kolstad, Prevost, Seifert, Zimmer. Total 6.

Absent or not voting: Brand, Burnett, Campbell, Cotton, Edland, Forsgren, McKittrick, Staigmiller, Watt. Total 9.

Senate Bill No. 532 was concurred in by the following vote:

Ayes: Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brown, Campbell, Castles, Clemow, Colberg, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kosen, Laas, Lee, Lien, Lombardi, Lucas, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Olson, Quilici, Regan, Roberts, Schepens, Shelden, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Warfield, Yardley, Mr. Speaker. Total 77.

Noes: Burnett, Galt, Kvaalen, Lockrem, Rolfe, Schye, Selstad, Smith, Ulmer, Walborn. Total 10.

Excused: Aageson, Hall, Kolstad, Prevost, Seifert, Zimmer. Total 6.

Absent or not voting: Brand, Cotton, Forsgren, Hubing, Lund, Norman, Watt. Total 7.

Senate Bill No. 533 was concurred in by the following vote:

Ayes: Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bennetts, Bradley, Brown, Campbell, Clemow, Colberg, Cox, Driscoll, Edland, Fagg, Fasbender, Flynn, Glennen, Greely, Gunderson, Hageman, Hager, Haines, H. Harper, R. Harper, Healy, Hodges, Holmes, Huennekens, Jacobsen, Johnston, Kendall, Kimble, Kosen, Laas, Lee, Lien, Lombardi, Lucas, Lund, Lynch, McKittrick, Manuel, Marbut, Mehrens, Menahan, Murphy, Quilici, Regan, Roberts, Schepens, Schye, Shelden, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Warfield, Yardley, Mr. Speaker. Total 65.

Noes: Bell, Burnett, Castles, East, Ellerd, Forsgren, Galt, Holtz, Jones, Kessner, Kvaalen, Lockrem, Lundgren, Mann, Marks, Mercer, Olson, Rolfe, Selstad, Smith, Ulmer, Walborn. Total 22.

Excused: Aageson, Hall, Kolstad, Prevost, Seifert, Zimmer. Total 6.

Absent or not voting: Brand, Cotton, Fleming, Halvorson, Hubing, Norman, Watt. Total 7.

Senate Bill No. 644 failed to be concurred in by the following vote:

Ayes: Aageson, Asbjornson, Barrett, Bell, Burnett, Campbell, Castles, Clemow, Cox, East, Edland, Fagg, Fleming, Forsgren, Galt, Glennen, Hageman, Healy, Holtz, Hubing, Johnston, Jones, Kimble, Kosena, Laas, Lee, Lockrem, Lombardi, Lucas, Lynch, McKittrick, Mann, Manuel, Mehrens, Menahan, Mercer, Murphy, Quilici, Roberts, Schye, Seifert, Smith, Tierney, Walborn. Total 44.

Noes: Ainsworth, Baeth, Bardanouve, Baucus, Bradley, Brown, Colberg, Cotton, Driscoll, Ellerd, Flynn, Greely, Gunderson, Hager, Haines, Halvorson, H. Harper, R. Harper, Hodges, Holmes, Huennekens, Jacobsen, Kendall, Kessner, Kolstad, Kvaalen, Lien, Lund, Marbut, Olson, Regan, Rolfe, Schepens, Selstad, Shelden, Staigmiller, Stoltz, Swanberg, Towe, Turman, Turner, Ulmer, Warfield, Yardley, Mr. Speaker. Total 45.

Paired: Aageson, Seifert, Aye, Kolstad, Kvaalen, Nay.

Excused: Hall, Prevost, Zimmer. Total 3.

Absent or not voting: Bennetts, Brand, Fasbender, Lundgren, Marks, Norman, Stephens, Watt. Total 8.

Senate Bill No. 727 was concurred in by the following vote:

Ayes: Asbjornson, Baeth, Barrett, Baucus, Bennetts, Bradley, Brown, Clemow, Colberg, Cotton, Cox, Driscoll, Edland, Fagg, Fasbender, Forsgren, Glennen, Greely, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Huennekens, Jacobsen, Johnston, Kendall, Kosena, Laas, Lee, Lien, Lombardi, Lucas, Lund, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Murphy, Norman, Quilici, Roberts, Schepens, Schye, Shelden, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Ulmer, Warfield, Mr. Speaker. Total 63.

Noes: Ainsworth, Bell, Burnett, Campbell, Castles, East, Ellerd, Flynn, Galt, Jones, Kessner, Kvaalen, Lockrem, Mann, Mercer, Regan, Rolfe, Selstad, Smith, Turner, Walborn, Yardley. Total 22.

Excused: Aageson, Hall, Kolstad, Prevost, Seifert, Zimmer. Total 6.

Absent or not voting: Bardanouve, Brand, Fleming, Gunderson, Hubing, Kimble, Lundgren, Olson, Watt. Total 9.

Senate Bill No. 741 was concurred in by the following vote:

Ayes: Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brown, Burnett, Campbell, Castles, Clémow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Yardley, Mr. Speaker. Total 92.

Noes: None.

Excused: Aageson, Hall, Kolstad, Prevost, Seifert, Zimmer. Total 6.

Absent or not voting: Brand, Watt. Total 2.

House Bill No. 1118 was passed by the following vote:

Ayes: Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Ellerd, Fagg, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kimble, Kosena, Kvaalen, Laas, Lee, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Shelden,

Smith, Staigmilller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Yardley, Mr. Speaker. Total 86.

Noes: Burnett, Edland, Fasbender, Kessner, Lien, Selstad. Total 6.

Excused: Hall, Prevost, Seifert, Zimmer. Total 4.

Absent or not voting: Ageson, Brand, Kolstad, Watt. Total 4.

Senate Amendments to House Bill No. 412 were concurred in by the following vote:

Ayes: Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Huennekens, Jacobsen, Johnston, Kendall, Kessner, Kimble, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Selstad, Shelden, Smith, Staigmilller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 89.

Noes: None.

Excused: Ageson, Hall, Kolstad, Prevost, Seifert, Zimmer. Total 6.

Absent or not voting: East, Forsgren, Hubing, Jones, Lundgren. Total 5.

Senate Amendments to House Bill No. 746 were concurred in by the following vote:

Ayes: Ainsworth, Asbjornson, Baeth, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Huennekens, Jacobsen, Johnston, Kendall, Kessner, Kimble, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Selstad, Shelden, Staigmilller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 84.

Noes: Burnett, East, Hubing, Walborn. Total 4.

Excused: Ageson, Hall, Kolstad, Prevost, Seifert, Zimmer. Total 6.

Absent or not voting: Bardanouve, Driscoll, Jones, Norman, Olson, Smith. Total 6.

REPORTS OF STANDING COMMITTEES

March 15, 1974

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bill No. 466, House Bill No. 681, House Bill No. 682, House Bill No. 749, House Bill No. 777, House Bill No. 867, House Bill No. 894, House Bill No. 932, House Bill No. 949, House Bill No. 955, House Bill No. 1003, House Bill No. 1013, House Bill No. 1066, House Bill No. 1068, House Bill No. 1089, House Bill No. 1099, House Bill No. 1111, House Bill No. 1117, do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day, at the hour of 2:45 o'clock p.m., delivered to the Governor for his approval.

QUILICI, Chairman

March 15, 1974

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bill No. 774, do hereby report that said bill, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day, at the hour of 1:40 o'clock, p.m., delivered to the Governor for his approval.

QUILICI, Chairman

Objection raised by Marbut on adverse committee report on House Bill No. 1113.
Referred to Second Reading.

Fasbender moved that the House recess until 4:45 p.m.

Motion carried.

House recessed.

House resumed.

Mr. Speaker in the Chair.

MESSAGE FROM THE GOVERNOR

March 15, 1974

Honorable Harold Gerke
Speaker of the House of Representatives
Capitol
Helena, Montana

Dear Mr. Speaker:

I have the honor to inform you that I have this day approved the following measures:

House Bills Nos.: 478, 617, 672, 764, 774, 805, 830, 859, 889, 950, 967, 1056 and 1081.

Sincerely,

THOMAS L. JUDGE
Governor

cc: Honorable Gordon McOmber

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Fasbender moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading under the rules of the previous sitting.

Motion carried.

Lynch in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

March 15, 1974

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That Senate Amendments to House Bill No. 747 be not concurred in. (53-45)

That Senate Amendments to House Bill No. 748 be concurred in. (74-3)

That Senate Amendments to House Bill No. 799 be not concurred in. (76-6)

That Senate Amendments to House Bill No. 891 be concurred in. (75-4)

That Senate Amendments to House Joint Resolution No. 47 be concurred in. (83-0)

That the Joint Conference Committee Report on House Bill No. 665 be adopted. (73-12)

That the Free Joint Conference Committee Report on House Bill No. 732 be adopted. (84-2)

That the Joint Conference Committee Report on House Bill No. 755 be adopted. (80-4)

That the Joint Conference Committee Report on House Bill No. 1101 be adopted. (79-7)

That the committee rise and report and beg leave to sit again.

LYNCH, Chairman

Report adopted.

THIRD READING OF BILLS

The following bills, having been read three several times, title and history agreed to, were disposed of in the following manner:

Senate Amendments to House Bill No. 748 were concurred in by the following vote:

Ayes: Ainsworth, Asbjornson, Baeth, Barrett, Baucus, Bell, Bennetts, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, Edland, Ellerd, Fagg, Fasbender, Fleming, Forsgren, Galt, Glennen, Greely, Hageman, Hager, Haines, Halvorson, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Mercer, Murphy, Norman, Olsson, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Selstad, Shelden, Smith, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Yardley, Mr. Speaker. Total 83.

Noes: H. Harper, Watt. Total 2.

Absent or not voting: Bardanouve, Bradley, Burnett, East, Flynn, Gunderson, Lucas, Menahan, Staigmiller. Total 9.

Excused: Aageson, Hall, Kolstad, Prevost, Seifert, Zimmer. Total 6.

Senate Amendments to House Bill No. 891 were concurred in by the following vote:

Ayes: Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Driscoll, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kimble, Kosena, Kvaalen, Laas, Lee, Lien, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Mehrens, Menahan, Murphy, Norman, Olson, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 82.

Noes: Cox, Glennen, H. Harper, Holtz, Kessner, Lockrem, Marks, Mercer, Selstad, Walborn. Total 10.

Absent or not voting: Burnett, East. Total 2.

Excused: Aageson, Hall, Kolstad, Prevost, Seifert, Zimmer. Total 6.

Senate Amendments to House Joint Resolution No. 47 were concurred in by the following vote:

Ayes: Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 91.

Noes: None.

Absent or not voting: Burnett, East, Selstad. Total 3.

Excused: Ageson, Hall, Kolstad, Prevost, Seifert, Zimmer. Total 6.

The Joint Conference Committee Report on House Bill No. 665 was adopted by the following vote:

Ayes: Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bennetts, Bradley, Brand, Brown, Campbell, Clemow, Cotton, Cox, Driscoll, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Jones, Kendall, Kessner, Kimble, Kosena, Kvaalen, Laas, Lee, Lien, Lombardi, Lund, Lynch, McKittrick, Mann, Manuel, Marbut, Menahan, Murphy, Norman, Olson, Quilici, Regan, Roberts, Schepens, Schye, Shelden, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 75.

Noes: Bell, Castles, Forsgren, Glennen, Holtz, Johnston, Lockrem, Lundgren, Marks, Mercer, Rolfe, Selstad, Smith. Total 13.

Absent or not voting: Burnett, Colberg, East, Galt, Lucas, Mehrens. Total 6.

Excused: Ageson, Hall, Kolstad, Prevost, Seifert, Zimmer. Total 6.

The Joint Conference Committee Report on House Bill No. 732 was adopted by the following vote:

Ayes: Asbjornson, Barrett, Baucus, Bell, Bennetts, Bradley, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Glennen, Greely, Gunderson, Hageman, Hager, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jones, Kendall, Kessner, Kimble, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Selstad, Shelden, Smith, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 83.

Noes: None.

Absent or not voting: Ainsworth, Baeth, Bardanouve, Brand, Burnett, Driscoll, East, Galt, Haines, Jacobsen, Johnston. Total 11.

Excused: Ageson, Hall, Kolstad, Prevost, Seifert, Zimmer. Total 6.

The Joint Conference Committee Report on House Bill No. 755 was adopted by the following vote:

Ayes: Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Quilici, Regan, Roberts, Rolfe, Schye, Shelden, Smith, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Yardley, Mr. Speaker. Total 87.

Noes: Brand, Holtz, Selstad, Watt. Total 4.

Absent or not voting: East, Galt, Schepens. Total 3.

Excused: Ageson, Hall, Kolstad, Prevost, Seifert, Zimmer. Total 6.

The Joint Conference Committee Report on House Bill No. 1101 was adopted by the following vote:

Ayes: Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell,

Bennetts, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Glennen, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Jacobsen, Johnston, Jones, Kendall, Kimble, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Norman, Olson, Quilici, Regan, Roberts, Rolfe, Schepens, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Turner, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 80.

Noes: Bradley, Burnett, Greely, Holtz, Huennekens, Kessner, Murphy, Selstad, Towe, Turman. Total 10.

Absent or not voting: East, Galt, Schye, Ulmer. Total 4.

Excused: Aageson, Hall, Kolstad, Prevost, Seifert, Zimmer. Total 6.

REPORTS OF STANDING COMMITTEES

March 14, 1974

I have examined House Resolution No. 79 introduced by me and find the same to be correct.

TOWE

March 14, 1974

I have examined House Bill No. 494 introduced by me and find the same to be correct.

FAGG

March 15, 1974

I have examined House Bill No. 964 introduced by me and find the same to be correct.

MARKS

March 15, 1974

I have examined House Bill No. 933 introduced by me and find the same to be correct.

BELL

March 15, 1974

I have examined House Bill No. 582 introduced by me and find the same to be correct.

BARDANOUE

March 15, 1974

I have examined House Bill No. 971 introduced by me and find the same to be correct.

ROBERTS

March 15, 1974

I have examined House Bill No. 1119 introduced by me and find the same to be correct.

ULMER

March 15, 1974

I have examined House Bill No. 1032 introduced by me and find the same to be correct.

McKITTRICK

March 15, 1974

I have examined House Bill No. 1073 introduced by me and find the same to be correct.

GREELY

March 15, 1974

I have examined House Bill No. 657 introduced by me and find the same to be correct.

GREELY

March 14, 1974

I have examined House Bill No. 895 introduced by me and find the same to be correct.

HOLTZ

March 14, 1974

I have examined House Bill No. 814 introduced by me and find the same to be correct.

KOSENA

March 14, 1974

I have examined House Resolution No. 66 introduced by me and find the same to be correct.

HAINES

March 14, 1974

I have examined House Resolution No. 78 introduced by me and find the same to be correct.

TOWE

March 15, 1974

I have examined House Bill No. 360 introduced by me and find the same to be correct.

MARBUT

March 15, 1974

I have examined House Bill No. 634 introduced by me and find the same to be correct.

HALVORSON

March 15, 1974

I have examined House Bill No. 918 introduced by me and find the same to be correct.

LYNCH

March 14, 1974

I have examined House Bill No. 233 introduced by me and find the same to be correct.

BARDANOUE

March 15, 1974

I have examined House Bill No. 774 introduced by me and find the same to be correct.

GERKE

March 15, 1974

I have examined House Bill No. 1011 introduced by me and find the same to be correct.

COX

March 15, 1974

I have examined House Joint Resolution No. 67 introduced by me and find the same to be correct.

MARBUT

March 15, 1974

I have examined House Resolution No. 72 introduced by me and find the same to be correct.

PREVOST

March 15, 1974

I have examined House Bill No. 1050 introduced by me and find the same to be correct.

SWANBERG

March 15, 1974

I have examined House Bill No. 879 introduced by me and find the same to be correct.

KENDALL

March 15, 1974

I have examined House Bill No. 586 introduced by me and find the same to be correct.

BARDANOUE

March 15, 1974

I have examined House Bill No. 448 introduced by me and find the same to be correct.

FAGG

March 15, 1974

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bill No. 692, do hereby report that said bill, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day, at the hour of 2:45 o'clock, p.m., delivered to the Governor for his approval.

QUILICI, Chairman

March 15, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills and resolutions correctly enrolled: House Bill No. 233, House Bill No. 360, House Bill No. 448, House Bill No. 494, House Bill No. 582, House Bill No. 586, House Bill No. 634, House Bill No. 657, House Bill No. 774, House Bill No. 814, House Bill No. 879, House Bill No. 895, House Bill No. 918, House Bill No. 933, House Bill No. 964, House Bill No. 971, House Bill No. 1011, House Bill No. 1032, House Bill No. 1050, House Bill No. 1073, House Bill No. 1119, House Resolution No. 66, House Resolution No. 72, House Resolution No. 78, House Resolution No. 79, House Joint Resolution No. 67.

FLEMING, Vice-Chairman

March 15, 1974

The following bills and resolutions will be signed on adjournment on March 15, 1974, in the office of the Speaker of the House of Representatives: Senate Bill No. 266, Senate Bill No. 434, Senate Bill No. 485, Senate Bill No. 539, Senate Bill No. 553, Senate Bill No. 568, Senate Bill No. 587, Senate Bill No. 623, Senate Bill No. 625, Senate Bill No. 655, Senate Bill No. 674, Senate Bill No. 681, Senate Bill No. 682, Senate Bill No. 684, Senate Bill No. 693, Senate Bill No. 717, Senate Bill No. 718, Senate Joint Resolution No. 53, Senate Joint Resolution No. 63, Senate Joint Resolution No. 68, House Bill No. 233, House Bill No. 360, House Bill No. 448, House Bill No. 494, House Bill No. 582, House Bill No. 586, House Bill No. 634, House Bill No. 657, House Bill No. 774, House Bill No. 814, House Bill No. 879, House Bill No. 895, House Bill No. 918, House Bill No. 933, House Bill No. 964, House Bill No. 971, House Bill No. 1011, House Bill No. 1032, House Bill No. 1050, House Bill No. 1073, House Bill No. 1119, House Resolution No. 66, House Resolution No. 72, House Resolution No. 78, House Resolution No. 79, House Joint Resolution No. 67.

EDWIN A. SMITH, Chief Clerk
House of Representatives

March 15, 1974

Mr. Speaker: We, your Committee on Finance and Claims, having had under consideration Senate Bill No. 745, respectfully report as follows: That Senate Bill No. 745 be amended as follows:

Be amended in the third reading copy, Section 12, page 5, line 17 by deleting the figures "89,007" and "253,549" and entering in lieu thereof "76,500" and "229,200", and

Insert beginning Section 12, page 5, on line 18 and thereafter this language: "The committee intends the \$75,000 requested for actuarial services and data processing of actuarial computations may not be transferred or expended for other programs or purchases. Furthermore, the committee disallows the \$10,000 and \$5,500 requested for new mechanical posting/accounting machinery, but encourages a thorough study of the division's record keeping needs in cooperation with the Department of Administration, which can provide apt professional assistance.", and

As amended, do pass.

BARDANOUE, Chairman

Report adopted.

MOTIONS

Fasbender moved that the rules be suspended and that House Bills Nos. 1115, 1133, and 1113 and Senate Bill No. 745 be placed on Second Reading for consideration this day.

Motion carried.

Lynch, in failing to pass Senate Bill No. 644 on Third Reading, moved that the House reconsider its action.

Motion failed.

Fasbender moved that the Speaker be authorized to appoint a Free Conference Committee to meet with a like committee from the Senate on House Bill No. 747.

Motion carried.

The Speaker appointed the following Free Conference Committee to meet with a like committee from the Senate on House Bill No. 747: Fasbender, Chairman; Swanberg and Asbjornson.

Greely moved that the House reconsider its action on Senate Bill No. 608 and that Senate Bill No. 608 be recalled from the Senate.

As a substitute motion, Lucas moved that the motion to reconsider Senate Bill No. 608 be referred to the Committee on Rules.

Motion carried.

Lockrem moved that the question to take a re-vote on Senate Bill No. 644 be referred to the Committee on Rules.

Motion carried.

Fasbender moved that the House recess until 6:45 p.m.

Motion carried.

House recessed.

House resumed.

Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

March 15, 1974

Mr. Speaker: We, your Committee on Rules, having had under consideration the question of whether the motion to recall Senate Bill No. 608 from the Senate was in order, respectfully report that the motion was proper and can be considered by the House.

FASBENDER, Chairman

Report adopted.

March 15, 1974

Mr. Speaker: We, your Committee on Rules, having had under consideration the question of whether or not a re-vote should be taken on Senate Bill No. 644, respectfully report as follows: That the ruling of the Chair on Senate Bill No. 644 on motion to reconsider did not pass the House be sustained.

FASBENDER, Chairman

Fasbender moved for adoption of the committee report. As a substitute motion, Lynch moved the committee report be not adopted. Motion carried.

March 15, 1974

Mr. Speaker: We, your Committee on Finance and Claims, having had under consideration House Bill No. 1107, respectfully report as follows: That House Bill No. 1107 be amended as follows:

Amend the title, in lines 4 and 5 of the introduced bill by omitting the figures and words "three hundred fifty-nine thousand five hundred dollars (\$359,500)" and inserting in lieu thereof the words and figures "one hundred seventy-nine thousand seven hundred fifty dollars (\$179,750)", and

Amend Section 1, line 17 by omitting the figure "\$359,500" and inserting in lieu thereof the figure "\$179,750", and

As amended, do pass.

BARDANOUE, Chairman

Report adopted.

MESSAGE FROM THE OTHER HOUSE

March 15, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day acceded to the request of the House, and authorized the President to appoint a Free Conference Committee to meet with a like committee of the House to confer on House Bill No. 747.

The President appointed the following members:

Senator Lynch, Chairman
Senator Vainio
Senator Harrison

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

MOTIONS

Greely moved that the House reconsider its action on Senate Bill No. 608 and that Senate Bill No. 608 be recalled from the Senate.

Motion failed.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Fasbender moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading under the rules of the previous sitting.

Motion carried.

Lynch in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

March 15, 1974

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That House Bill No. 1115 do pass. (55-24)

That House Bill No. 1133 be amended in the title, lines 4 and 5 by deleting the following words: "fifty thousand dollars (\$50,000)" and inserting in lieu thereof the words and figures: "thirty-five thousand dollars (\$35,000)", and

Further amend Section 1, lines 12 and 13 by deleting the following words and figures: "fifty thousand dollars (\$50,000)" and inserting in lieu thereof the words and figures: "thirty-five thousand (\$35,000)", and

As amended, do pass. (78-9)

That House Bill No. 1113 be amended in Section 1, lines 10, 11 and 12 by deleting the words and figures "one hundred thirty-seven thousand nine hundred fifty-five dollars (\$137,955)" and inserting in lieu thereof the words and figures: "ninety-seven thousand nine hundred fifty-five dollars (\$97,955)", and

As amended, do pass. (42-38)

That Senate Bill No. 745 be concurred in. (84-4)

That the committee rise and report.

LYNCH, Chairman

Report adopted.

MOTIONS

As a result of the overturned Rules Committee report, Lynch moved that the House re-vote on the motion to reconsider action on Senate Bill No. 644.

Motion failed.

REPORT OF STANDING COMMITTEE

March 15, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following resolution correctly printed: House Resolution No. 86.

QUILICI, Chairman

MESSAGES FROM THE OTHER HOUSE

March 15, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day read third time, and concurred in, titles and history agreed to, and the said bills are herewith returned to the House:

House Bill No. 566 introduced by Bennetts, Tierney, et al

House Bill No. 221 introduced by Mehrens, Lee, et al

House Bill No. 305 introduced by Brand, Burnett, et al

House Bill No. 890 introduced by Driscoll, Watt and Swanberg

House Bill No. 931 introduced by Lynch, Quilici, et al

House Bill No. 1,028 introduced by Baucus, Glennen, et al

House Bill No. 1,122 introduced by Kimble, Lynch, et al

House Bill No. 1,129 introduced by Laas, Haines and Johnston

House Bill No. 1,130 introduced by Lee, Lombardi, et al

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

March 15, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was this day read third time, and concurred in as amended, title and history agreed to, and the said bill is herewith returned to the House for concurrence in Senate Amendments:

House Bill No. 627 introduced by Kvaalen, Schepens, et al

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

March 15, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Senate Bills were this day read three several times, and passed, titles and history agreed to, and the said bills are herewith transmitted to the House for concurrence:

Senate Bill No. 737 introduced by Bollinger

Senate Bill No. 740 introduced by Moritz and Drake

Senate Bill No. 746 introduced by Bollinger

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

March 15, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Conference Committee Reports were this day on third reading, adopted, on roll call vote:

Free Conference Committee Report on House Bill No. 732

Conference Committee Report on Senate Amendments to House Bill No. 665

Conference Committee Report on Senate Amendments to House Bill No. 755

Conference Committee Report on Senate Amendments to House Bill No. 1,101

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

March 15, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Amendments to Senate Bills and Senate Joint Resolution were this day concurred in on third reading by the Senate:

House Amendments to Senate Bill No. 532

House Amendments to Senate Bill No. 533

House Amendments to Senate Bill No. 594

House Amendments to Senate Bill No. 629

House Amendments to Senate Joint Resolution No. 70

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following bills were introduced, read first time and referred to committees:

Senate Bill No. 737, introduced by Bollinger: A bill for an act entitled: "An act appropriating money to the Department of State Lands to fund the saline-alkali study and follow up." Referred to Committee on Finance and Claims.

Senate Bill No. 740, introduced by Moritz, Drake: A bill for an act entitled: "An act to appropriate moneys to the Department of Highways, Motor Pool Division to pay for delinquencies owed it by various agencies." Referred to Committee on Finance and Claims.

Senate Bill No. 746, introduced by Bollinger: A bill for an act entitled: "An act appropriating money to pay the employer's contribution to the Public Employees' Retirement System on behalf of the members of the legislature and legislative attaches." Referred to Committee on Finance and Claims.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 1115 passed by the following vote:

Ayes: Asbjornson, Baeth, Baucus, Bennetts, Bradley, Brown, Campbell, Clemow, Colberg, Cotton, Driscoll, Edland, Fagg, Fasbender, Fleming, Flynn, Forsgren, Greely, Gunderson, Hageman, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Huennekens, Kendall, Kimble, Laas, Lee, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Marbut, Mehrens, Menahan, Murphy, Norman, Quilici, Regan, Roberts, Rolfe, Schepens, Shelden, Staigmiller, Stephens,

Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 63.

Noes: Barrett, Bell, Brand, Burnett, Cox, Ellerd, Galt, Glennen, Hubing, Jacobsen, Johnston, Jones, Kessner, Kosena, Kvaalen, Lien, Lockrem, Manuel, Marks, Mercer, Olson, Schye, Selstad, Smith, Walborn. Total 25.

Excused: Aageson, Hall, Kolstad, Prevost, Seifert, Zimmer. Total 6.

Absent or not voting: Ainsworth, Bardanouve, Castles, East, Hager, Holtz. Total 6.

House Bill No. 1133 passed by the following vote:

Ayes: Asbjornson, Baeth, Barrett, Baucus, Bell, Bennetts, Bradley, Brown, Burnett, Campbell, Clemow, Colberg, Cotton, Cox, Driscoll, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kimble, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Shelden, Staigmilller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 83.

Noes: Brand, Kessner, Selstad, Smith, Walborn. Total 5.

Excused: Aageson, Hall, Holtz, Prevost, Seifert, Zimmer. Total 6.

Absent or not voting: Ainsworth, Bardanouve, Castles, East, Hager, Kolstad. Total 6.

House Bill No. 1113 failed to pass by the following vote:

Ayes: Baeth, Barrett, Baucus, Bennetts, Bradley, Brown, Colberg, Cotton, Driscoll, Edland, Fagg, Fleming, Flynn, Forsgren, H. Harper, Healy, Hodges, Huennekens, Jacobsen, Kimble, Lee, Lombardi, Lynch, Marbut, Mehrens, Menahan, Murphy, Norman, Quilici, Roberts, Shelden, Staigmilller, Stoltz, Tierney, Towe, Turman, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 41.

Noes: Asbjornson, Bell, Brand, Burnett, Campbell, Clemow, Cox, Ellerd, Fasbender, Galt, Glennen, Greely, Gunderson, Hageman, R. Harper, Hubing, Johnston, Jones, Kendall, Kessner, Kosena, Kvaalen, Laas, Lien, Lockrem, Lucas, Lund, Lundgren, McKittrick, Mann, Manuel, Marks, Mercer, Olson, Regan, Rolfe, Schepens, Schye, Selstad, Smith, Stephens, Swanberg, Turner, Ulmer. Total 44.

Excused: Aageson, Hall, Kolstad, Prevost, Seifert, Zimmer. Total 6.

Absent or not voting: Ainsworth, Bardanouve, Castles, East, Hager, Haines, Halvorson, Holmes, Holtz. Total 9.

Senate Bill No. 745 was concurred in by the following vote:

Ayes: Asbjornson, Baeth, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Clemow, Cotton, Cox, Driscoll, Edland, Ellerd, Fagg, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Hageman, Haines, Halvorson, H. Harper, R. Harper, Healy, Holmes, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Selstad, Smith, Staigmilller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 83.

Noes: Gunderson, Hodges. Total 2.

Excused: Aageson, Hall, Kolstad, Prevost, Seifert, Zimmer. Total 6.

Absent or not voting: Ainsworth, Bardanouve, Castles, Colberg, East, Fasbender, Hager, Holtz, Shelden. Total 9.

Fasbender moved that the House adjourn until 11:00 a.m., March 16, 1974.

Motion carried.

House adjourned.

HAROLD E. GERKE, Speaker

EDWIN A. SMITH, Chief Clerk

SIXTIETH LEGISLATIVE DAY

Helena, Montana
March 16, 1974

House Chambers
Capitol Building

House convened at 11:00 a.m., Mr. Speaker in the Chair.

Invocation by Representative H. Harper.

Pledge of Allegiance to the Flag.

Roll call. All members present except Aageson, Hall, Kolstad, Prevost, Seifert and Zimmer, all excused.

Quorum present.

Mr. Speaker: We, your Committee on Bills and Journal, having examined the daily journal for the Fifty-ninth Legislative Day, find the same to be correct.

QUILICI, Chairman

REPORTS OF STANDING COMMITTEES

March 16, 1974

Mr. Speaker: We, your Committee on Finance and Claims, having had under consideration House Bill No. 1116, respectfully report as follows: That House Bill No. 1116 do pass.

BARDANOUE, Chairman

Report adopted.

March 16, 1974

Mr. Speaker: We, your Committee on Finance and Claims, having had under consideration Senate Bill No. 737, respectfully report as follows: That Senate Bill No. 737 be amended as follows:

Amend Section 1, line 15 of the Third Reading Bill by inserting a period "." after the word "duties" and omitting the words "imposed by House Bill No. 755." and

Amend in line 15 by inserting the following new sentence: "There is hereby appropriated all available federal monies to carry out the intent of this act.", and

As amended, be concurred in.

BARDANOUE, Chairman

Report adopted.

March 16, 1974

Mr. Speaker: We, your Committee on Finance and Claims, having had under consideration Senate Bill No. 740, respectfully report as follows: That Senate Bill No. 740 be concurred in.

BARDANOUE, Chairman

Report adopted.

March 16, 1974

Mr. Speaker: We, your Committee on Finance and Claims, having had under consideration Senate Bill No. 746, respectfully report as follows: That Senate Bill No. 746 be concurred in.

BARDANOUE, Chairman

Report adopted.

MOTIONS

Fasbender moved that the rules be suspended and that House Bills Nos. 1107, 1116, and Senate Bills Nos. 737, 740 and 746 be placed on Second Reading for consideration this day.

Motion carried.

Fasbender moved that the rules be suspended and that all bills passed on Second Reading this day be placed on Third Reading for consideration this day.

Motion carried.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Fasbender moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading under the rules of the previous sitting.

Motion carried.

Tierney in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

March 16, 1974

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That House Bill No. 1107 do pass. (64-11)

That House Resolution No. 86 be passed to the bottom of the board.

That Senate Amendments to House Bill No. 627 be concurred in. (77-6)

That Senate Bill No. 740 be concurred in. (84-0)

That Senate Bill No. 746 be concurred in. (79-7)

That Senate Bill No. 737 be concurred in. (76-6)

That House Bill No. 1116 do pass. (89-0)

That House Resolution No. 86 be adopted. (69-18)

That the committee rise and report and beg leave to sit again.

TIERNEY, Chairman

Report adopted.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

House Bill No. 1107 was passed by the following vote:

Ayes: Ainsworth, Asbjornson, Baeth, Bardanoue, Barrett, Baucus, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, Edland, Fagg, Fasbender, Fleming, Flynn, Forsgren, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kimble,

Kosena, Kvaalen, Laas, Lee, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Quilici, Regan, Roberts, Schepens, Schye, Shelden, Staigmilller, Stephens, Swanberg, Tierney, Towe, Turman, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 80.

Noes: Bell, Burnett, Galt, Kessner, Lien, Mann, Rolfe, Selstad, Smith, Walborn. Total 10.

Excused: Aageson, Hall, Kolstad, Prevost, Seifert, Zimmer. Total 6.

Absent or not voting: East, Ellerd, Stoltz, Turner. Total 4.

Senate Bill No. 740 was concurred in by the following vote:

Ayes: Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Glennen, Greely, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Quilici, Roberts, Rolfe, Schepens, Selstad, Shelden, Smith, Staigmilller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 89.

Noes: None.

Excused: Aageson, Hall, Kolstad, Prevost, Seifert, Zimmer. Total 6.

Absent or not voting: Galt, Gunderson, Huennekens, Regan, Schye. Total 5.

Senate Bill No. 746 was concurred in by the following vote:

Ayes: Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bennetts, Bradley, Brand, Campbell, Castles, Clemow, Colberg, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Haines, Halvorson, R. Harper, Healy, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Kendall, Kimble, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lynch, McKittrick, Mann, Manuel, Marbut, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Quilici, Schepens, Schye, Shelden, Staigmilller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 76.

Noes: Bell, Brown, Burnett, Hager, H. Harper, Hodges, Jones, Kessner, Rolfe, Selstad, Walborn. Total 11.

Excused: Aageson, Hall, Kolstad, Prevost, Seifert, Zimmer. Total 6.

Absent or not voting: Cotton, Fleming, Lundgren, Marks, Regan, Roberts, Smith. Total 7.

Senate Bill No. 737 was concurred in by the following vote:

Ayes: Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fleming, Flynn, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Kendall, Kimble, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Quilici, Regan, Roberts, Rolfe, Schepens, Shelden, Staigmilller, Stephens, Stoltz, Tierney, Towe, Turman, Turner, Ulmer, Warfield, Watt, Yardley, Mr. Speaker. Total 80.

Noes: Burnett, Clemow, Forsgren, Jones, Kessner, Selstad, Smith, Walborn. Total 8.

Excused: Aageson, Hall, Kolstad, Prevost, Seifert, Zimmer. Total 6.

Absent or not voting: Galt, Fasbender, Hodges, Marks, Schye, Swanberg. Total 6.

House Bill No. 1116 was passed by the following vote:

Ayes: Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Mr. Speaker. Total 92.

Noes: None.

Excused: Aageson, Hall, Kolstad, Prevost, Seifert, Zimmer. Total 6.

Absent or not voting: Greely, Yardley. Total 2.

Senate Amendments to House Bill No. 627 were concurred in by the following vote:

Ayes: Ainsworth, Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, East, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Mehrens, Menahan, Mercer, Murphy, Norman, Olson, Quilici, Regan, Roberts, Rolfe, Schye, Selstad, Shelden, Staigmiller, Stephens, Stoltz, Towe, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 86.

Noes: Burnett, Schepens, Tierney, Turman. Total 4.

Excused: Aageson, Hall, Kolstad, Prevost, Seifert, Zimmer. Total 6.

Absent or not voting: Kimble, Marks, Smith, Swanberg. Total 4.

REPORTS OF STANDING COMMITTEES

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 1123 was adopted by the following vote:

Ayes: Ainsworth, Asbjornson, Bardanouve, Barrett, Baucus, Bell, Brown, Castles, Clemow, Cox, Driscoll, Edland, Ellerd, Fagg, Fasbender, Fleming, Flynn, Forsgren, Galt, Glennen, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, Hodges, Holmes, Holtz, Hubing, Jacobsen, Johnston, Jones, Kendall, Kessner, Kvaalen, Laas, Lien, Lockrem, Lucas, Lund, Lundgren, McKittrick, Mann, Manuel, Mercer, Murphy, Olson, Regan, Roberts, Rolfe, Schepens, Schye, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 70.

Noes: Bennetts, Brand, Burnett, Campbell, Colberg, Cotton, East, Greely, R. Harper, Healy, Huennekens, Kimble, Kosena, Lee, Lombardi, Marbut, Mehrens, Menahan, Quilici. Total 19.

Excused: Aageson, Hall, Kolstad, Prevost, Seifert, Zimmer. Total 6.

Absent or not voting: Baeth, Bradley, Lynch, Marks, Norman. Total 5.

In accordance with the 24 hour rule, the adverse committee report on House Bill No. 1131 was adopted by the following vote:

Ayes: Ainsworth, Asbjornson, Bardanouve, Barrett, Baucus, Bell, Bennetts, Bradley, Brand, Brown, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, Edland, Ellerd, Fagg, Fleming, Flynn, Forsgren, Galt, Glennen, Greely, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner,

Kimble, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Menahan, Mercer, Murphy, Norman, Olson, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Selstad, Shelden, Smith, Staigmiller, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Mr. Speaker. Total 88.

Noes: Burnett, East. Total 2.

Excused: Aageson, Hall, Kolstad, Prevost, Seifert, Zimmer. Total 6.

Absent or not voting: Baeth, Fasbender, Mehrens, Yardley. Total 4.

REPORT OF SELECT COMMITTEE

March 15, 1974

Joint Conference Committee Report
House Amendments to Senate Bill No. 743

Mr. President and Speaker of the House:

We, your Joint Conference Committee on House Amendments to Senate Bill No. 743, beg leave to report as follows:

That we met this day and considered House Amendments to Senate Bill No. 743 and recommend as follows:

That the House recede from the House Amendments to Senate Bill No. 743 dated March 13, 1974, and the Joint Conference Committee recommends the bill be further amended:

Amend line 20 by omitting the word "one" and inserting in lieu thereof the word "four" and add the letter "s" to the word "dollar", and

Further amend on line 20 by omitting the figure and punctuation "\$1)" and insert in lieu thereof the figure and punctuation "\$4)", and

Further amend on line 20 by adding the following language after the figures "\$1)": "to be remitted as set forth in Section 25-311", and

That Senate Bill No. 743 as so amended, be concurred in.

FOR THE SENATE:

FOR THE HOUSE:

GRAHAM

ROBERTS

SORENSEN

WARFIELD

NORTHEY

MOTIONS

Towe moved that House Resolution No. 92 be adopted.

Motion carried.

Marbut, in failing to pass House Bill No. 1113 on Third Reading on the previous legislative day, moved that the House reconsider its action.

Motion failed.

Fasbender moved that the House recess until 1:30 p.m.

Motion carried.

House recessed.

House resumed.

Mr. Speaker in the Chair.

Aageson and Kolstad present at this time. Lucas excused at this time.

March 16, 1974

REPORT OF STANDING COMMITTEE

Mr. Speaker: We, your Committee on Bills, to whom was referred House Bill No. 557, House Bill No. 590, House Bill No. 595, House Bill No. 600, do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day, at the hour of 12:10 o'clock, p.m., delivered to the Governor for his approval.

FLEMING, Vice-Chairman

REPORT OF SELECT COMMITTEE

March 16, 1974

Free Joint Conference Committee Report
House Bill No. 747

Mr. President and Speaker of the House:

We, your Free Joint Conference Committee on House Bill No. 747, beg leave to report as follows:

That we met this day and considered House Bill No. 747, and the Free Joint Conference Committee recommends as follows:

That the Senate recede from the first two paragraphs of its Committee of the Whole amendments dated March 14, 1974 to House Bill No. 747;

That the House accedes to the last two paragraphs of the Senate Committee of the Whole amendments dated March 14, 1974 to House Bill No. 747; and the Free Joint Conference Committee recommends the bill be amended as follows:

Amend Section 12, page 6, at the beginning of line 22 by striking the following material:

"All state employees earning \$8,400 and less gross salary per annum shall be granted a salary increase of \$35 monthly. Further all state employees earning less than \$10,000 gross salary per annum shall receive a minimum of 5 percent increase first then the balance, as apportioned to each agency by the budget bureau, may be used by the appointing authority for general staff raises or pay equalization at all salary levels. The budget bureau shall apportion no more than 2.5 percent of an agency's operating payroll as of December 1, 1973, to that agency."

Further strike the following material:

On page 7, lines 22-25 and page 8 lines 1 and 2 which reads as follows:

"This appropriation is not intended to interfere with written salary increment plans in existence by contract or other employee-employer agreements that may be in effect at the time of passage and approval. However,"

Further amend Section 12, page 6, line 22 by inserting the following new material:

"All state employees shall receive a salary increase of thirty dollars (\$30) per month, prorated for less than fulltime employment. In addition, all state employees shall receive a two percent (2%) salary increase as of July 1, 1974."

Further amend Section 12, page 6, line 7 by striking the amount "\$1,125,000" and "-0-" and inserting the amounts "\$1,097,000" and "\$502,000".

Further amend Section 12, page 6, line 9 by striking the amounts "\$1,250,000" and "-0-" and inserting the amounts "\$1,224,000" and "\$557,600."

Further amend Section 12, page 6, line 11 by striking the amounts "\$1,200,000" and "-0-" and inserting the amounts "\$1,175,000" and "\$534,600."

Further amend Section 12, page 6, line 14 by striking the amounts "\$100,000" and "-0-" and inserting the amounts "\$100,000" and "\$46,000."

And that House Bill No. 747, as so amended, be concurred in.

FOR THE SENATE:

FOR THE HOUSE:

LYNCH

FASBENDER

HARRISON

SWANBERG

ASBJORNSON

Report adopted.

MESSAGE FROM THE OTHER HOUSE

March 16, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bills were this day on Committee Reports, not concurred in, reports adopted, and the said bills are herewith returned to the House:

House Bill No. 527 introduced by Towe, Bradley, et al

House Bill No. 1,115 introduced by Baucus, Kimble, et al

House Bill No. 1,125 introduced by Schye and Johnston

Respectfully yours,

JOHN N. HANSON

Secretary of the Senate

MOTIONS

Shelden moved that the House concur in the Senate Amendments to House Bill No. 1017.

Motion carried.

Ulmer moved that the following House Resolution No. 93 be introduced, considered read and be adopted:

HOUSE RESOLUTION NO. 93
INTRODUCED BY ULMER, HALVORSON, TIERNEY

"A RESOLUTION OF THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA EXPRESSING THE CONCERN OF THE HOUSE OF REPRESENTATIVES WITH THE PROBLEM OF DEVISING AN ADEQUATE AND EQUITABLE TAXATION PROGRAM FOR THE TAXATION ON COAL AND OTHER FOSSIL FUELS; REQUESTING THE COMMITTEE ON PRIORITIES TO DIRECT THE APPROPRIATE STANDING COMMITTEE TO CONDUCT A STUDY OF THE TAXATION OF THE COAL AND OTHER FOSSIL FUEL INDUSTRIES AND TO MAKE RECOMMENDATIONS TO THE NEXT SESSION OF THE MONTANA LEGISLATURE.

WHEREAS, the development of coal resources and other fossil fuels is an increasingly important industry in Montana, and

WHEREAS, it is essential that the state of Montana devise a system of taxation of this industry which is both equitable and adequate to assure that the state will share in the benefits of the development of these essential resources, and

WHEREAS, the present system of taxation of the coal and other fossil fuel industries is not consistent or coordinated, and

WHEREAS, the problem of taxation of the coal and other fossil fuel industries is too complicated and too important to be resolved by hasty study or deliberation.

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

That the House of Representatives of the state of Montana declares its deep concern that a fair and adequate system of taxation be developed for the coal mining and other fossil fuel industries in Montana.

BE IT FURTHER RESOLVED, that the House of Representatives endorses the concept of taxation of the coal mining and other fossil fuel industries based on a percentage of the delivered price of fuels mined or otherwise extracted within the state.

BE IT FURTHER RESOLVED, that the Committee on Priorities is requested to direct the appropriate standing committee to conduct a study of the present structure of taxation of the coal mining and other fossil fuel industries in Montana.

BE IT FURTHER RESOLVED, that this study evaluate the present net proceeds tax, resource indemnity trust tax, strip coal mines license tax, corporate income tax, the tax on equipment, machinery and real estate, the tax on the right to prospect, and any other taxes which affect the fossil fuel industries and determine whether these taxes overlap or conflict with each other.

BE IT FURTHER RESOLVED, that this study explore ways in which taxation of the coal mining and other fossil fuel industries can be based on a percentage of the delivered price of the coal and other fossil fuels mined or otherwise extracted in Montana.

BE IT FURTHER RESOLVED, that the standing committee make full use of the information and expertise available to it through the various agencies of the state government, through the federal government, and from the coal mining and other fossil fuel industries themselves.

BE IT FURTHER RESOLVED, that the standing committee report its findings and proposals for legislation to the next session of the Montana legislature no later than January 15, 1975."

Motion carried. (82-5)

Bardanouve moved that House Resolution No. 91 be taken from the Committee on Rules, be considered at this time and be adopted.

Motion carried. (78-8)

Kvaalen moved that the House reconsider its action in concurring in Senate Amendments to House Bill No. 627 this day.

Motion carried.

Kvaalen moved that Senate Amendments to House Bill No. 627 be taken from enrolling and placed on Second Reading for consideration this day.

Motion carried.

Lund moved that House Resolution No. 89 be taken from the Committee on Rules, be considered at this time and be adopted.

Motion carried. (84-0)

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Swanberg moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading under the rules of the previous sitting.

Motion carried.

Tierney in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

March 16, 1974

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That the Joint Conference Committee Report on Senate Bill No. 743 be adopted. (78-5)

That the Free Joint Conference Committee Report on House Bill No. 747 be adopted. (65-32)

That Senate Amendments to House Bill No. 627 be not concurred in. (83-0)

That the committee rise and report and beg leave to sit again.

TIERNEY, Chairman

Report adopted.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

The Joint Conference Committee Report on Senate Bill No. 743 was adopted by the following vote:

Ayes: Aageson, Ainsworth, Asbjornson, Bardanouve, Baucus, Bell, Bennetts, Bradley, Brand, Burnett, Campbell, Castles, Clemow, Colberg, Cotton, Cox, Driscoll, Ellerd, Fagg, Fleming, Glennen, Gunderson, Hageman, Hager, Haines, Halvorson, H. Harper, R. Harper, Healy, Hodges, Holmes, Holtz, Hubing, Huennekens, Jacobsen, Johnston, Jones, Kendall, Kessner, Kimble, Kolstad, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lund, Lundgren, Lynch, McKittrick, Mann, Manuel, Marbut, Marks, Mehrens, Mercer, Norman, Olson, Quilici, Regan, Roberts, Rolfe, Schepens, Schye, Selstad, Shelden, Smith, Staigmillier, Stephens, Stoltz, Tierney, Towe, Turman, Turner, Ulmer, Walborn, Warfield, Watt, Yardley, Mr. Speaker. Total 82.

Noes: None.

Excused: Hall, Lucas, Prevost, Seifert, Zimmer. Total 5.

Absent or not voting: Baeth, Barrett, Brown, East, Edland, Fasbender, Flynn, Forsgren, Galt, Greely, Menahan, Murphy, Swanberg. Total 13.

The Free Joint Conference Committee Report on House Bill No. 747 was adopted by the following vote:

Ayes: Asbjornson, Baeth, Bardanouve, Baucus, Bennetts, Bradley, Brand, Colberg, Cotton, Cox, Edland, Fasbender, Fleming, Flynn, Greely, Hageman, Hager, Haines, Halvorson, R. Harper, Hodges, Huennekens, Jacobsen, Johnston, Kendall, Kessner, Kimble, Kosena, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lucas, Lund, McKittrick, Mann, Manuel, Mercer, Murphy, Olson, Prevost, Quilici, Regan, Roberts, Staigmillier, Stephens, Stoltz, Swanberg, Tierney, Towe, Turman, Turner, Ulmer, Watt, Mr. Speaker. Total 57.

Noes: Aageson, Barrett, Bell, Burnett, Campbell, Castles, Clemow, Ellerd, Galt, Gunderson, H. Harper, Healy, Holmes, Holtz, Hubing, Jones, Lundgren, Lynch, Marbut, Marks, Mehrens, Menahan, Rolfe, Schye, Smith, Walborn, Warfield, Yardley. Total 28.

Paired: Baeth, Edland, Lucas, Murphy, Prevost, Aye; Bell, Galt, Marks, Schye, Walborn, Nay.

Excused: Hall, Seifert, Zimmer. Total 3.

Absent or not voting: Ainsworth, Brown, Driscoll, East, Fagg, Forsgren, Glennen, Kolstad, Norman, Schepens, Selstad, Shelden. Total 12.

COMMUNICATIONS AND PETITIONS

The Chief Clerk read a letter from James A. Stewart, Vice-President and General Manager of Montana Quality Commodities, expressing his appreciation to the members of the Legislature.

REPORTS OF STANDING COMMITTEES

March 16, 1974

I have examined House Bill No. 705 introduced by me and find the same to be correct.

ULMER

March 16, 1974

I have examined House Resolution No. 80 introduced by me and find the same to be correct.

HEALY

March 16, 1974

I have examined House Bill No. 1052 introduced by me and find the same to be correct.

WARFIELD

March 16, 1974

I have examined House Bill No. 822 introduced by me and find the same to be correct.

DRISCOLL

March 16, 1974

I have examined House Bill No. 1121 introduced by me and find the same to be correct.

COX

March 16, 1974

I have examined House Bill No. 556 introduced by me and find the same to be correct.

FAGG

March 16, 1974

I have examined House Bill No. 1053 introduced by me and find the same to be correct.

FAGG

March 16, 1974

I have examined House Resolution No. 75 introduced by me and find the same to be correct.

COTTON

March 16, 1974

I have examined House Bill No. 785 introduced by me and find the same to be correct.

SWANBERG

March 16, 1974

I have examined House Bill No. 798 introduced by me and find the same to be correct.

McKITTRICK

March 15, 1974

I have examined House Bill No. 999 introduced by me and find the same to be correct.

MARBUT

March 15, 1974

I have examined House Bill No. 953 introduced by me and find the same to be correct.

FAGG

March 15, 1974

I have examined House Bill No. 590 introduced by me and find the same to be correct.

FASBENDER

March 15, 1974

I have examined House Bill No. 595 introduced by me and find the same to be correct.

FASBENDER

March 15, 1974

I have examined House Bill No. 703 introduced by me and find the same to be correct.

LEE

March 15, 1974

I have examined House Bill No. 649 introduced by me and find the same to be correct.

FASBENDER

March 15, 1974

I have examined House Bill No. 557 introduced by me and find the same to be correct.

SWANBERG

March 15, 1974

I have examined House Bill No. 909 introduced by me and find the same to be correct.

FASBENDER

March 15, 1974

I have examined House Bill No. 600 introduced by me and find the same to be correct.

FASBENDER

March 15, 1974

I have examined House Bill No. 628 introduced by me and find the same to be correct.

BRADLEY

March 16, 1974

I have examined House Bill No. 1010 introduced by me and find the same to be correct.

BARDANOUE

March 16, 1974

I have examined House Bill No. 1128 introduced by me and find the same to be correct.

KOSENA

March 16, 1974

I have examined House Resolution No. 83 introduced by me and find the same to be correct.

GUNDERSON

March 16, 1974

I have examined House Resolution No. 76 introduced by me and find the same to be correct.

GUNDERSON

March 16, 1974

I have examined House Bill No. 1028 introduced by me and find the same to be correct.

BAUCUS

March 16, 1974

I have examined House Joint Resolution No. 73 introduced by me and find the same to be correct.

BROWN

March 16, 1974

I have examined House Bill No. 670 introduced by me and find the same to be correct.

GERKE

March 16, 1974

I have examined House Bill No. 1129 introduced by me and find the same to be correct.

LAAS

March 16, 1974

I have examined House Resolution No. 85 introduced by me and find the same to be correct.

EDLAND

March 16, 1974

I have examined House Resolution No. 84 introduced by me and find the same to be correct.

EDLAND

March 16, 1974

I have examined House Resolution No. 88 introduced by me and find the same to be correct.

LUCAS

March 16, 1974

I have examined House Bill No. 460 introduced by me and find the same to be correct.

COX

March 16, 1974

I have examined House Bill No. 694 introduced by me and find the same to be correct.

GERKE

March 16, 1974

I have examined House Bill No. 746 introduced by me and find the same to be correct.

BARDANOUVE

March 16, 1974

I have examined House Joint Resolution No. 47 introduced by me and find the same to be correct.

MARBUT

March 16, 1974

I have examined House Resolution No. 87 introduced by me and find the same to be correct.

TOWE

March 16, 1974

I have examined House Resolution No. 92 introduced by me and find the same to be correct.

YARDLEY

March 16, 1974

I have examined House Bill No. 221 introduced by me and find the same to be correct.

MEHRENS

March 16, 1974

I have examined House Bill No. 748 introduced by me and find the same to be correct.

BARDANOUE

March 16, 1974

I have examined House Bill No. 566 introduced by me and find the same to be correct.

BENNETTS

March 16, 1974

I have examined House Resolution No. 86 introduced by me and find the same to be correct.

R. HARPER

March 16, 1974

I have examined House Bill No. 890 introduced by me and find the same to be correct.

DRISCOLL

March 16, 1974

I have examined House Bill No. 1101 introduced by me and find the same to be correct.

SCHEPENS

March 16, 1974

I have examined House Bill No. 86 introduced by me and find the same to be correct.

LUCAS

March 16, 1974

I have examined House Bill No. 665 introduced by me and find the same to be correct.

BARDANOUE

March 16, 1974

Mr. Speaker: We, your Committee on Bills, to whom were referred House Bill No. 233, House Bill No. 360, House Bill No. 448, House Bill No. 494, House Bill No. 582, House Bill No. 586, House Bill No. 634, House Bill No. 657, House Bill No. 814, House Bill No. 879, House Bill No. 895, House Bill No. 918, House Bill No. 933, House Bill No. 964, House Bill No. 971, House Bill No. 1011, House Bill No. 1032, House Bill No. 1050, House Bill No. 1073, House Bill No. 1119, do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day, at the hour of 11:00 o'clock, a.m., delivered to the Governor for his approval.

QUILICI, Chairman

March 16, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills and resolutions correctly enrolled: House Bill No. 221, House Bill No. 460, House Bill No. 566, House Bill No. 670, House Bill No. 694, House Bill No. 746, House Bill No. 748, House Bill No. 890, House Bill No. 931, House Bill No. 1028, House Bill No. 1122, House Bill No. 1129, House Bill No. 1130, House Resolution No. 84, House Resolution No. 85, House Resolution No. 88, House Resolution No. 92, House Joint Resolution No. 47, House Joint Resolution No. 73.

QUILICI, Chairman

March 16, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills and resolutions correctly enrolled: House Bill No. 507, House Bill No. 556, House Bill No. 557, House Bill No. 590, House Bill No. 595, House Bill No. 600, House Bill No. 628, House Bill No. 649, House Bill No. 703, House Bill No. 705, House Bill No. 785, House Bill No. 798, House Bill No. 822, House Bill No. 909, House Bill No. 953, House Bill No. 999, House Bill No. 1010, House Bill No. 1052, House Bill No. 1053, House Bill No. 1121, House Bill No. 1128, House Resolution No. 75, House Resolution No. 76, House Resolution No. 80, House Resolution No. 83, House Resolution No. 87, House Resolution No. 82.

QUILICI, Chairman

March 16, 1974

The following bills and resolutions will be signed on adjournment on March 16, 1974, in the office of the Speaker of the House of Representatives: House Bill No. 221, House Bill No. 460, House Bill No. 566, House Bill No. 670, House Bill No. 694, House Bill No. 746, House Bill No. 748, House Bill No. 890, House Bill No. 931, House Bill No. 1028, House Bill No. 1122, House Bill No. 1129, House Bill No. 1130, House Resolution No. 88, House Resolution No. 84, House Resolution No. 85, House Resolution No. 92, House Joint Resolution No. 47, House Joint Resolution No. 73, Senate Bill No. 367, Senate Bill No. 461, Senate Bill No. 473, Senate Bill No. 476, Senate Bill No. 531, Senate Bill No. 579, Senate Bill No. 599, Senate Bill No. 608, Senate Bill No. 619, Senate Bill No. 620, Senate Bill No. 622, Senate Bill No. 626, Senate Bill No. 660, Senate Bill No. 661, Senate Bill No. 662, Senate Bill No. 663, Senate Bill No. 664, Senate Bill No. 697, Senate Bill No. 703, Senate Bill No. 715, Senate Bill No. 726, Senate Bill No. 729, Senate Bill No. 733, Senate Bill No. 734, Senate Bill No. 739, Senate Bill No. 742, Senate Joint Resolution No. 64, Senate Joint Resolution No. 69.

EDWIN A. SMITH, Chief Clerk
House of Representatives

March 16, 1974

The following bills and resolutions will be signed on adjournment on March 16, 1974, in the office of the Speaker of the House of Representatives: House Bill No. 507, House Bill No. 556, House Bill No. 557, House Bill No. 590, House Bill No. 595, House Bill No. 600, House Bill No. 628, House Bill No. 649, House Bill No. 703, House Bill No. 705, House Bill No. 785, House Bill No. 798, House Bill No. 822, House Bill No. 909, House Bill No. 953, House Bill No. 999, House Bill No.

1010, House Bill No. 1052, House Bill No. 1053, House Bill No. 1121, House Bill No. 1128, House Resolution No. 75, House Resolution No. 76, House Resolution No. 80, House Resolution No. 83, House Resolution No. 87, House Resolution No. 82.

EDWIN A. SMITH, Chief Clerk
House of Representatives

March 16, 1974

The following bills and resolutions were signed in the office of the Speaker of the House of Representatives on March 16, 1974: House Bill No. 507, House Bill No. 556, House Bill No. 557, House Bill No. 590, House Bill No. 595, House Bill No. 600, House Bill No. 628, House Bill No. 649, House Bill No. 703, House Bill No. 705, House Bill No. 785, House Bill No. 798, House Bill No. 822, House Bill No. 909, House Bill No. 953, House Bill No. 999, House Bill No. 1010, House Bill No. 1052, House Bill No. 1053, House Bill No. 1121, House Bill No. 1128, House Resolution No. 75, House Resolution No. 76, House Resolution No. 80, House Resolution No. 83, House Resolution No. 87, House Resolution No. 82.

EDWIN A. SMITH, Chief Clerk
House of Representatives

March 16, 1974

The following bills and resolutions were signed in the office of the Speaker of the House of Representatives on adjournment, on March 16, 1974: House Bill No. 221, House Bill No. 460, House Bill No. 566, House Bill No. 670, House Bill No. 694, House Bill No. 746, House Bill No. 748, House Bill No. 890, House Bill No. 931, House Bill No. 1028, House Bill No. 1122, House Bill No. 1129, House Bill No. 1130, House Resolution No. 88, House Resolution No. 84, House Resolution No. 85, House Resolution No. 92, House Joint Resolution No. 47, House Joint Resolution No. 73, Senate Bill No. 367, Senate Bill No. 461, Senate Bill No. 473, Senate Bill No. 476, Senate Bill No. 531, Senate Bill No. 579, Senate Bill No. 599, Senate Bill No. 608, Senate Bill No. 619, Senate Bill No. 620, Senate Bill No. 622, Senate Bill No. 626, Senate Bill No. 660, Senate Bill No. 661, Senate Bill No. 662, Senate Bill No. 663, Senate Bill No. 664, Senate Bill No. 697, Senate Bill No. 703, Senate Bill No. 715, Senate Bill No. 726, Senate Bill No. 729, Senate Bill No. 733, Senate Bill No. 734, Senate Bill No. 739, Senate Bill No. 742, Senate Joint Resolution No. 64, Senate Joint Resolution No. 69.

EDWIN A. SMITH, Chief Clerk
House of Representatives

March 16, 1974

The following bills and resolutions were signed in the office of the Speaker of the House of Representatives on March 15, 1974: Senate Bill No. 266, Senate Bill No. 434, Senate Bill No. 485, Senate Bill No. 539, Senate Bill No. 553, Senate Bill No. 568, Senate Bill No. 587, Senate Bill No. 623, Senate Bill No. 625, Senate Bill No. 655, Senate Bill No. 674, Senate Bill No. 681, Senate Bill No. 682, Senate Bill No. 684, Senate Bill No. 693, Senate Bill No. 717, Senate Bill No. 718, Senate Joint Resolution No. 53, Senate Joint Resolution No. 63, Senate Joint Resolution No. 68, House Bill No. 233, House Bill No. 360, House Bill No. 448, House Bill No. 494, House Bill No. 582, House Bill No. 586, House Bill No. 634, House Bill No. 657, House Bill No. 774, House Bill No. 814, House Bill No. 879, House Bill No. 895, House Bill No. 918, House Bill No. 933, House Bill No. 964, House Bill No. 971, House Bill No. 1011, House Bill No. 1032, House Bill No. 1050, House Bill No. 1073, House Bill No. 1119, House Resolution No. 66, House Resolution No. 72, House Resolution No. 78, House Resolution No. 79, House Joint Resolution No. 67.

EDWIN A. SMITH, Chief Clerk
House of Representatives

MESSAGE FROM THE GOVERNOR

March 16, 1974

Honorable Harold Gerke

Speaker of the House of Representatives
Capitol
Helena, Montana

Dear Mr. Speaker:

I have the honor to inform you that I have this day approved House Bills Nos: 699 and 1009.

Sincerely,

THOMAS L. JUDGE
Governor

cc: Honorable Gordon McOmber

MESSAGES FROM THE OTHER HOUSE

March 16, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the House Amendments to Senate Bill No. 282 were not concurred in by the Senate this day.

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

March 16, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Amendments to Senate Bills were this day on third reading, concurred in by the Senate.

House Amendments to Senate Bill No. 737

House Amendments to Senate Bill No. 745

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

March 16, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following House Bill was this day read third time, and concurred in, title and history agreed to, and the said bill is herewith returned to the House:

House Bill No. 1116 introduced by Norman, Brand and Bell

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

March 16, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the following Conference Committee reports were this day on third reading, adopted, on roll call vote:

Conference Committee Report on House Amendments to Senate Bill No. 743

Free Conference Committee Report on House Bill No. 747

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

REPORT OF SELECT COMMITTEE

March 16, 1974

Free Joint Conference Committee Report
House Bill No. 627

Mr. President and Speaker of the House:

We, your Free Joint Conference Committee on House Bill No. 627 beg leave to report as follows:

That we met this day and considered House Bill No. 627, and that the Free Joint Conference Committee recommends as follows:

That the Senate recede from Senate Committee on Finance and Claims Amendments to House Bill No. 627 dated March 14, 1974,

And that House Bill No. 627 be further amended as follows:

Amend on page 1, line 23 by striking the words "general fund" and inserting in lieu thereof the words "fish and game earmarked revenue fund",

And that House Bill No. 627, as so amended, be concurred in.

FOR THE SENATE:

THIESSEN

LYNCH

TURNAGE

FOR THE HOUSE:

SCHEPENS

KOSENA

KVAALLEN

MOTIONS

Swanberg moved that the Speaker be authorized to appoint a Free Conference Committee to meet with a like committee from the Senate on House Bill No. 627.

Motion carried.

The Speaker appointed the following Free Conference Committee on House Bill No. 627: Schepens, Chairman; Kosena and Kvaalen.

Fasbender moved that the House recess subject to the call of the Chair.

Motion carried.

House recessed.

House resumed.

Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

March 16, 1974

Mr. Speaker: We, your Committee on Legislative Administration, recommend that the following be employed by the House of Representatives for the Second Regular Session of the 43rd Legislature at the beginning of business March 14, 1974:

Bruce Miller	Page
Linda Gunderson	Page
Lucy Headapohl	Page

At the close of business March 1, 1974 the following be terminated:

Jerry LynchParking Attendant

At the close of business March 14, 1974 the following be terminated:

Susan FrenchSteno

At the close of business March 15, 1974 the following be terminated:

Linda GundersonPage

At the close of business March 16, 1974 the following be terminated:

Lucy HeadapohlPage

Bruce MillerPage

FASBENDER, Ex-officio Member

Report adopted.

March 16, 1974

The following bills and resolutions were signed in the office of the Speaker of the House of Representatives on March 16, 1974: House Bill No. 86, House Bill No. 305, House Bill No. 412, House Bill No. 627, House Bill No. 665, House Bill 7732, House Bill No. 1017, House Bill No. 747, House Bill No. 755, House Bill No. 891, House Bill No. 1101, House Bill No. 1116, House Resolution No. 86, House Resolution No. 89, House Resolution No. 91, House Resolution No. 93, Senate Bill No. 533, Senate Bill No. 537, Senate Bill No. 554, Senate Bill No. 594, Senate Bill No. 624, Senate Bill No. 642, Senate Bill No. 629, Senate Bill No. 727, Senate Bill No. 740, Senate Bill No. 744, Senate Bill No. 746, Senate Joint Resolution No. 70, Senate Bill No. 532, Senate Bill No. 737, Senate Bill No. 741, Senate Bill No. 743, Senate Bill No. 745.

EDWIN A. SMITH, Chief Clerk
House of Representatives

March 16, 1974

The following bills and resolutions will be signed on adjournment on March 16, 1974, in the office of the Speaker of the House of Representatives: House Bill No. 86, House Bill No. 305, House Bill No. 412, House Bill No. 627, House Bill No. 665, House Bill No. 732, House Bill No. 1017, House Bill No. 747, House Bill No. 755, House Bill No. 891, House Bill No. 1101, House Bill No. 1116, House Resolution No. 86, House Resolution No. 89, House Resolution No. 91, House Resolution No. 93, Senate Bill No. 533, Senate Bill No. 537, Senate Bill No. 554, Senate Bill No. 594, Senate Bill No. 624, Senate Bill No. 642, Senate Bill No. 629, Senate Bill No. 727, Senate Bill No. 740, Senate Bill No. 744, Senate Bill No. 746, Senate Joint Resolution No. 70, Senate Bill No. 532, Senate Bill No. 737, Senate Bill No. 741, Senate Bill No. 743, Senate Bill No. 745.

EDWIN A. SMITH, Chief Clerk
House of Representatives

March 16, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills and resolutions correctly enrolled: House Bill No. 86, House Bill No. 305, House Bill No. 412, House Bill No. 627, House Bill No. 665, House Bill No. 732, House Bill No. 747, House Bill No. 755, House Bill No. 891, House Bill No. 1017, House Bill No. 1101, House Bill No. 1116, House Resolution No. 86, House Resolution No. 89, House Resolution No. 91, House Resolution No. 93.

FLEMING, Vice-Chairman

March 16, 1974

I have examined House Bill No. 1017 introduced by me and find the same to be correct.

SHELDEN

March 16, 1974

I have examined House Bill No. 747 introduced by me and find the same to be correct.

BARDANOUE

March 16, 1974

I have examined House Bill No. 1116 introduced by me and find the same to be correct.

BELL

March 16, 1974

I have examined House Bill No. 412 introduced by me and find the same to be correct.

MARBUT

March 16, 1974

I have examined House Bill No. 732 introduced by me and find the same to be correct.

LIEN

March 16, 1974

I have examined House Bill No. 891 introduced by me and find the same to be correct.

DRISCOLL

March 16, 1974

I have examined House Bill No. 305 introduced by me and find the same to be correct.

BRAND

March 16, 1974

I have examined House Bill No. 755 introduced by me and find the same to be correct.

BAUCUS

March 16, 1974

I have examined House Resolution No. 89 introduced by me and find the same to be correct.

LUND

March 16, 1974

I have examined House Resolution No. 91 introduced by me and find the same to be correct.

BARDANOUE

March 16, 1974

I have examined House Resolution No. 93 introduced by me and find the same to be correct.

ULMER

March 16, 1974

Mr. Speaker: We, your Committee on Bills, to whom were referred House Bill No. 507, House Bill No. 556, House Bill No. 628, House Bill No. 703, House Bill No. 705, House Bill No. 649, House Bill No. 785, House Bill No. 798, House Bill No. 822, House Bill No. 909, House Bill No. 953, House Bill No. 999, House Bill

No. 1010, House Bill No. 1053, House Bill No. 1121, House Bill No. 924, do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day, at the hour of 5:10 p.m., delivered to the Governor for his approval.

QUILICI, Chairman

MESSAGE FROM THE OTHER HOUSE

March 16, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Senate this day acceded to the request of the House, and authorized the President to appoint a Free Conference Committee to meet with a like committee of the House to confer on House Bill No. 627.

The President appointed the following members:

Senator Thiessen, Chairman

Senator Lynch

Senator Turnage

Respectfully yours,

JOHN N. HANSON

Secretary of the Senate

SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)

Fasbender moved that the House resolve itself into a Committee of the Whole, for the consideration of business on Second Reading under the rules of the previous sitting.

Motion carried.

Greely in the Chair. Committee arose.

House resumed. Mr. Speaker in the Chair.

March 16, 1974

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on Second Reading, recommend as follows:

That the Joint Conference Committee Report on House Bill No. 627 be adopted. (52-9)

That the committee rise and report.

GREELY, Chairman

Report adopted.

REPORTS OF STANDING COMMITTEES

March 16, 1974

I have examined House Bill No. 627 introduced by me and find the same to be correct.

KVAALEN

March 16, 1974

Mr. Speaker: We, your Committee on Bills, beg leave to report the following bills and resolutions correctly enrolled: House Resolution No. 89, House Resolution No. 91, House Resolution No. 93, House Bill No. 747, House Bill No. 1116, House Bill No. 627.

FLEMING, Vice-Chairman

March 16, 1974

Mr. Speaker: We, your Committee on Bills, to whom were referred House Bill No. 86, House Bill No. 221, House Bill No. 305, House Bill No. 412, House Bill No. 460, House Bill No. 566, House Bill No. 665, House Bill No. 670, House Bill No. 732, House Bill No. 694, House Bill No. 746, House Bill No. 748, House Bill No. 755, House Bill No. 890, House Bill No. 891, House Bill No. 931, House Bill No. 1028, House Bill No. 1052, House Bill No. 1101, House Bill No. 1122, House Bill No. 1128, House Bill No. 1129, House Bill No. 1130, do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day, at the hour of 6:30 o'clock, p.m., delivered to the Governor for his approval.

FLEMING, Vice-Chairman

March 16, 1974

Mr. Speaker: We, your Committee on Bills, to whom were referred House Bill No. 627, House Bill No. 747, House Bill No. 1116, House Bill No. 1017, do hereby report that said bills, together with a copy thereof, signed by the Speaker of the House and President of the Senate, were this day, at the hour of 7:04 o'clock, p.m., delivered to the Governor for his approval.

FLEMING, Vice-Chairman

MESSAGE FROM THE OTHER HOUSE

March 16, 1974

Mr. Speaker:

I am directed by the Senate to inform your Honorable Body that the Free Conference Committee Report on House Bill No. 627 was this day on third reading, adopted, on roll call vote.

Respectfully yours,

JOHN N. HANSON
Secretary of the Senate

THIRD READING OF BILLS

The following bill having been read three several times, title and history agreed to, was disposed of in the following manner:

The Joint Conference Committee Report on House Bill No. 627 was adopted by the following vote:

Ayes: Ageson, Ainsworth, Campbell, Cotton, Driscoll, Fasbender, Fleming, Flynn, Forsgren, Galt, Greely, Hageman, Hager, Haines, Healy, Hodges, Holmes, Holtz, Jacobsen, Jones, Kendall, Kessner, Kolstad, Kvaalen, Laas, Lee, Lien, Lockrem, Lombardi, Lund, Lynch, Mann, Marks, Mehrens, Menahan, Mercer, Quilici, Roberts, Rolfe, Selstad, Stephens, Stoltz, Swanberg, Ulmer, Watt, Mr. Speaker. Total 46.

Noes: Bell, Colberg, Gunderson, H. Harper, R. Harper, Huennekens, Johnston, Kimble, Marbut, Regan, Shelden, Turman. Total 12.

Excused: Hall, Lucas, Prevost, Seifert, Zimmer. Total 5.

Absent or not voting: Asbjornson, Baeth, Bardanouve, Barrett, Baucus, Bennetts, Bradley, Brand, Brown, Burnett, Castles, Clemow, Cox, East, Edland, Ellerd, Fagg, Glennen, Halvorson, Hubing, Kosena, Lundgren, McKittrick, Manuel, Murphy, Norman, Olson, Schepens, Schye, Smith, Staigmiller, Tierney, Towe, Turner, Walborn, Warfield, Yardley. Total 37.

MOTIONS

Fasbender moved that the Speaker be authorized to appoint a committee to inform the Senate that the House has completed its business and is ready to adjourn.

Motion carried.

The Speaker appointed the following committee: Swanberg, Fleming, Cotton, Ageson and Marbut.

Fasbender moved that the Speaker be authorized to appoint a committee to inform the Governor that the House has completed its business and is ready to adjourn.

Motion carried.

The Speaker appointed the following committee: Bardanouve, Regan, Quilici, Haines and Brown.

Fasbender moved that the Speaker be authorized to appoint a committee to inform the Supreme Court that the House has completed its business and is ready to adjourn.

Motion carried.

The Speaker appointed the following committee: Greely, Yardley, Roberts, Castles and Bell.

REPORTS OF SELECT COMMITTEES

The committee appointed to notify the Supreme Court reported that it had done so. They were thanked for their faithful performance and discharged.

The committee appointed to notify the Senate reported that it had done so. They were thanked for their faithful performance and discharged.

A committee from the Senate composed of James, Rosell, Moritz and Nees was admitted and advised the House that the Senate had completed their business and is ready to adjourn.

The committee appointed to notify the Governor reported that it had done so, and that the Governor had thanked them for their hard work and told them his doors were always open to receive them at any time. The committee was thanked for their faithful performance and discharged.

Fasbender moved that the House be adjourned at 7:14 p.m.

Motion carried.

House adjourned.

HAROLD E. GERKE, Speaker

EDWIN A. SMITH, Chief Clerk

OFFICERS AND MEMBERS

of the

Forty-Third Legislative Assembly of the State of Montana 1974

THOMAS L. JUDGE, Governor

W. Gordon McOmber, President of the Senate
P. J. Keenan, President Pro Tempore
Harold E. Gerke, Speaker of the House
Walter Laas, Speaker Pro Tempore

SENATE

NAME	RESIDENCE OR MAILING ADDRESS	DIST. NO.	COUNTY OF RESIDENCE	POLITICS
*Aber, L. M. (Larry)	228 3rd Ave. No., Columbus 59019	7	Stillwater	Republican
Bennett, George T.	P. O. Box 1166, Helena 59601	12	Lewis & Clark	Republican
*Bertsche, Wm. H.	1917 4th Ave. No., Great Falls 59401	13	Cascade	Democrat
*Bollinger, Gordon E.	217 Klein Ave., Glasgow 59230	4	Valley	Democrat
*Boylan, Paul F.	Star Route, Bozeman 59715	11	Gallatin	Democrat
*Breeden, J. W. "Brick"	1202 South Willson, Bozeman 59715	11	Gallatin	Republican
Broder, Fred O.	Route 4, Kalispell 59901	16	Flathead	Republican
*Carl, Fred G.	P.O. Box 477, Missoula 59801	18	Missoula	Republican
Cochrane, Archie M.	2958 Upper Highway, Billings 59102	8	Yellowstone	Republican
Darrow, George	2014 Beverly Hills Blvd., Billings 59102	8	Yellowstone	Republican
Deschamps, G. W. "Por"	Route 2, Mullan Rd., Missoula 59801	18	Missoula	Republican
Devine, John W. (Jack)	Box 1443, Great Falls 59401	13	Cascade	Democrat
DeWolfe, Percy	Box 250, Browning 59517	15	Glacier	Democrat
Drake, Glen L.	So. Annex, Power Block, Helena 59601	12	Lewis & Clark	Republican
*Flynn, Elmer	Route 2, Mullan Rd., Missoula 59801	18	Missoula	Democrat
*Gilfeather, P. J.	2816 4th Ave. So., Great Falls 59401	13	Cascade	Democrat
Goodheart, B. J. "Swede"	P.O. Box 1013, Malta 59538	5	Phillips	Democrat
Graham, Carol A.	Lodge Grass 59050	1	Big Horn	Democrat
Hall, Mrs. John Nelson	212 12th St. No., Great Falls 59401	13	Cascade	Democrat
*Harrison, James T., Jr.	1100 Choteau, Helena 59601	12	Lewis & Clark	Republican
*Hazelbaker, Frank W.	Box 430, Dillon 59725	21	Beaverhead	Republican
*Himsl, Matt	305 4th Ave. E., Kalispell 59901	16	Flathead	Republican
James, David F.	P.O. Box 221, Joplin 59531	14	Liberty	Democrat
*Jensen, Arthur N.	P.O. Box 668, Superior 59872	23	Mineral	Democrat
Keenan, P. J.	1112 East Fifth, Anaconda 59711	19	Deer Lodge	Democrat
*Klindt, Herbert J.	402 Alderson Ave., Billings 59102	8	Yellowstone	Republican
*Lowe, William r. "Bull"	1008 Poly Dr., Billings 59102	8	Yellowstone	Republican
Lynch, Neil J.	2101 Harrison Ave., Butte 59701	20	Silver Bow	Democrat
McCallum, George	Niarada 59852	23	Sanders	Republican
McDonald, John K. (Jack)	Belt 59412	13	Cascade	Democrat
*McGowan, Gordon	Rural Route, Highway 59450	14	Chouteau	Democrat
*McKeon, Luke	316 E. 7th, Anaconda 59711	19	Deer Lodge	Democrat
McNamer, William R.	P.O. Box 1383, Billings 59103	8	Yellowstone	Republican
*McOmber, Gordon	R.R. 2, Fairfield 59436	15	Teton	Democrat
Manning, Dave	Hvsham 59038	6	Treasure	Democrat
Mathers, William L.	P.O. Box 267, Miles City 59301	2	Custer	Republican
Moore, Jim	Two Dot 59085	9	Wheatland	Republican
Moritz, Earl	1024 W. Evelyn, Lewistown 59457	10	Fergus	Republican
Nees, Stanley	432 B Street West, Poplar 59255	4	Roosevelt	Democrat
Northey, Harry T.	514 Daly Ave., Missoula 59801	18	Missoula	Republican
†Romney, Miles	425 South 3rd, Hamilton 59840	22	Ravalli	Democrat
*Rosell, Antoinette Fraser	4200 Rimrock Road, Billings 59102	8	Yellowstone	Republican
*Shea, James R. "Jimmy"	604 West Daly St., Walkerville 59701	20	Silver Bow	Democrat
*Siderius, George	c/o Somer's Stage, Kalispell 59901	16	Flathead	Democrat
*Sorensen, C. F. (Smoky)	#9 Brookwood Park, Rte. #1 So., Gt. Falls 59401	13	Cascade	Democrat
Story, Peter R.	Emigrant 59027	11	Park	Republican
Thiessen, Cornie R.	Box 195, Lambert 59243	3	Richland	Democrat
*Turnage, Jean A.	P.O. Box 450, Polson 59860	17	Lake	Republican
*Vainio, Leonard E.	1701 Grand Ave., Butte 59701	20	Silver Bow	Democrat
*Zody, A. A.	503 So. Pearson, Glendive 59330	3	Dawson	Democrat

*Term expires 1975; all other Senators four-year terms.

†appointed to replace W. A. "Bill" Groff, resigned
(term expires 1975)

1. Replaced Bennett, W. F., resigned Dec. 1972

HOUSE OF REPRESENTATIVES

NAME	RESIDENCE OR MAILING ADDRESS	DIST. NO.	COUNTY OF RESIDENCE	POLITICS
Aageson, Dave	Gildford 59525	14	Hill	Republican
Ainsworth, A. L. (Bud)	4111 Timberlane, Missoula 59801	18	Missoula	Republican
Asbjornson, J. O. "Boots"	P.O. Box 794, Winifred 59489	10	Fergus	Republican
Baeth, William R. (Bill)	805 Minnesota Ave., Libby 59923	23	Lincoln	Democrat
Bardanouve, Francis	Harlem 59526	5	Blaine	Democrat
Barrett, Fred O.	259 SW Maple, Lewistown 59457	10	Fergus	Republican
Baucus, Max S.	525 So. Fifth St. East, Missoula 59801	18	Missoula	Democrat
Bell, John F.	Birdseye, Helena 59601	12	Lewis & Clark	Republican
Bennetts, Barbara K.	25 South Benton, Helena 59601	12	Lewis & Clark	Democrat
Bradley, Dorothy M.	Box 114, Rt. 3, Bozeman 59715	11	Gallatin	Democrat
Brand, Joe	800 Montana Ave., Deer Lodge 59722	19	Powell	Democrat
Brown, Robert J. (Bob)	Route #1, Whitefish 59937	16	Flathead	Republican
Burnett, James H. "Jim"	Star Route, Luther 59051	7	Carbon	Republican
Campbell, William C.	630 Flowerree, Helena 59601	12	Lewis & Clark	Republican
Castles, Ruth B.	York Route, Helena 59601	12	Lewis & Clark	Republican
Clemow, Tom	Box 828, Jackson 59736	21	Beaverhead	Republican
Colberg, Richard A.	631 Terry Ave., Billings 59102	8	Yellowstone	Democrat
Cotton, Robert S.	S.W. Glasgow, Glasgow 59230	5	Valley	Democrat
Cox, Henry S. "Hank"	1904 St. John's, Billings 59102	8	Yellowstone	Republican
Driscoll, John B.	424 S. 2nd St., Hamilton 59840	22	Ravalli	Democrat
East, Vic	Box 83, Forsyth 59327	6	Rosebud	Republican
Eldland, Wallace B.	Box 98, Scobey 59263	4	Daniels	Democrat
Ellerd, Robert A.	2206 Bridger Dr., Bozeman 59715	11	Gallatin	Republican
Fagg, Harrison G.	1414 Mystic Dr., Billings 59102	8	Yellowstone	Republican
Fasbender, Larry	Fourte 1, Box 23, Fort Shaw 59443	13	Cascade	Democrat
Fleming, James F., Jr.	Box 116, Pablo 59855	17	Lake	Democrat
Flynn, James W.	P.O. Box 524, Dillon 59725	21	Beaverhead	Democrat
Forsgren, Wallace O.	Box 225, Bozeman 59715	11	Gallatin	Republican
Galt, Jack E.	Martinsdale 59053	9	Meagher	Republican
Gerke, Harold E.	202 Mountain View Blvd., Billings 59101	8	Yellowstone	Democrat
Glennen, Robert E.	#7 Prairieview Drive, Casa Village, Billings 59102	8	Yellowstone	Republican
Greely, Michael T.	409 Strain Bldg., Great Falls 59401	13	Cascade	Democrat
Gunderson, Jack	P.O. Box 187, Power 59468	13	Cascade	Democrat
Hageman, Alvin	Stillwater Co. Rural Rte., Broadview 59015	7	Stillwater	Democrat
Hager, Tom	1540 Elaine St., Billings 59101	8	Yellowstone	Republican
Haines, Tom	15 Martha's Crt., Missoula 59801	18	Missoula	Republican
Hall, John C.	1020 Third Ave. No., Great Falls 59401	13	Cascade	Democrat
Halvorson, Ora J.	244 Woodland Ave., Kalispell 59901	16	Flathead	Democrat
Harper, Hal	509 Logan, Helena 59601	12	Lewis & Clark	Republican
Harper, Robert J. "Bob"	68 Missoula Ave., Butte 59701	20	Silver Bow	Democrat
Healy, John E. (Jack)	624 West Granite, Butte 59701	20	Silver Bow	Democrat
Hodges, William C.	106 25th St. No., Great Falls 59401	13	Cascade	Democrat
Holmes, Mrs. Polly	1620 Ave. F., Billings 59102	8	Yellowstone	Democrat
Holtz, Malcolm E.	2625 4th Ave. No., Great Falls 59401	13	Cascade	Republican
Hubing, Lee	Terry 59349	6	Prairie	Republican
Huennekens, Herb	3216 Rimrock Rd., Billings 59102	8	Yellowstone	Democrat
Jacobsen, Glenn	Reserve 59258	4	Sheridan	Democrat
Johnston, George R.	504 3rd St. S.E., Cut Bank 59427	15	Glacier	Democrat
Jones, Tom L. ²	31 Second St. East, Kalispell 59901	16	Flathead	Republican
Kendall, Orin P.	P.O. Box 563, Thompson Falls 59873	23	Sanders	Democrat
Kessner, Jack E.	154 Riverview C., Great Falls 59404	13	Cascade	Republican
Kimble, Gary	640 S. 6th E., Missoula 59801	18	Missoula	Democrat
Kolstad, Allen C.	Chester 59522	14	Liberty	Republican
Kosena, Albert E. (Al)	106 No. Main, Anaconda 59711	19	Deer Lodge	Democrat
Kvaalen, Oscar S.	Lambert 59243	3	Richland	Republican
Laas, Walter	Chester 59522	14	Liberty	Democrat
Lee, Robert E. (Bob)	1945 Florida, Butte 59701	20	Silver Bow	Democrat
Lien, Orphey "Bud"	P.O. Box 666, Poplar 59255	4	Roosevelt	Democrat
Lockrem, Lloyd C., Jr.	3109 Edmond St., Billings 59102	8	Yellowstone	Republican
Lombardi, Jerry V.	947 Waukesha, Butte 59701	20	Silver Bow	Democrat
Lucas, James P.	1920 Sudlow, Miles City 59301	2	Custer	Republican
Lund, Art	Box 806, Scobey 59263	4	Daniels	Republican
Lundgren, Conrad F.	844 Woodland, Kalispell 59901	16	Flathead	Republican
Lynch, John "J.D."	527 W. Mercury, Butte 59701	20	Silver Bow	Democrat
McKittrick, Pat	4039 Ella Ave., Great Falls 59405	13	Cascade	Democrat
+ Mann, C. Thornton	P.O. Box 75, Victor 59875	22	Ravalli	Republican
Manuel, Rex	Fairfield 59436	15	Teton	Democrat
Marbut, Gary R.	Grant Creek, Missoula 59801	18	Missoula	Republican
Marks, Robert L. (Bob)	Clancy 59634	12	Jefferson	Republican
Mehrens, John "Sandy"	206 Evergreen, Anaconda 59711	19	Deer Lodge	Democrat
Menahan, William "Red"	1304 West Fifth, Anaconda 59711	19	Deer Lodge	Democrat
Mercer, Wallace W. (Wally)	Box 1556, Billings 59102	8	Yellowstone	Republican
Murphy, John	Box 40, Stanford 59479	14	Judith Basin	Democrat
Norman, Bill	440 Connell, Missoula 59801	18	Missoula	Democrat
Olson, S. A.	Glendive Med. Cent., Glendive 59330	3	Dawson	Republican
Prevost, Robert C.	Lambert 59243	3	Richland	Democrat
Quilici, Joe	3040 Kossuth, Butte 59701	20	Silver Bow	Democrat

HOUSE OF REPRESENTATIVES—(Continued)

Regan, Ann K. "Pat"	204 Mountain View, Billings 59101	8	Yellowstone	Democrat
*Roberts, Joe R.	c/o Law School, Univ. of Montana Missoula, Montana 59801	23	Lincoln	Democrat
Rolfe, Tom	1219½ West Koch, Bozeman 59715	11	Gallatin	Republican
Schepens, Henry J.	P.O. Box 591, Sidney 59270	3	Richland	Democrat
Schye, Elmer	P.O. Box 504, White Sulphur Springs 59643	9	Meagher	Republican
Seifert, Carl A.	Box 90, Polson 59860	17	Lake	Republican
Selstad, Tom	133 29th Ave. NW, Great Falls 59404	13	Cascade	Republican
Shelden, Arthur H.	Rt. 1, Box 1650, Libby 59923	23	Lincoln	Democrat
Smith, Carl M.	Olive 59343	1	Powder River	Republican
Staigmiller, John B.	P.O. Box 422, Cascade 59421	13	Cascade	Democrat
Stephens, Robert E.	P.O. Box 218, Dutton 59433	15	Teton	Democrat
Stoltz, Gail	Valier 59486	15	Pondera	Democrat
Swanberg, Gorham E.	P.O. Box 2567, Great Falls 59403	13	Cascade	Democrat
Tierney, John F.	Eden Route, Great Falls 59401	13	Cascade	Republican
Towe, Thomas E.	2640 Burlington Ave., Billings 59102	8	Yellowstone	Democrat
Turman, George	1525 Gerald ave., Missoula 59801	18	Missoula	Republican
Turner, Clyde A.	920 Kalispell Ave., Whitefish 59937	16	Flathead	Republican
Ulmer, Walter J.	121 So. Merriam, Miles City 59301	2	Custer	Republican
Walborn, John E.	P.O. Box 451, Hardin 59034	1	Big Horn	Republican
Warfield, Bill	Hoffman Route, Livingston 59047	11	Park	Republican
Watt, Robert D.	451 Kensington Ave., Missoula 59801	18	Missoula	Democrat
Yardley, Dan	P.O. Box 482, Livingston 59047	11	Park	Democrat
Zimmer, William (Bill)	P.O. Box 67, Olney 59927	16	Flathead	Democrat

2. Replaced Himsl, Matt, resigned.

†appointed to replace Norris Nichols, resigned;
(term expires 1975)

**Address change—(Joe R. Roberts) (temporary until January 1974) (home address—920 Main St., Libby 59923)

Compiled and Published from the official files of Frank Murray, Secretary of State, Helena, Montana.

HOUSE INDEX BY DAYS 1974

Leg. Day	Date 1974	Page No.	Leg. Day	Date 1974	Page No.
1	January	7	31	February	11
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3	"	9	33	"	13
4	"	10	34	"	14
5	"	11	35	"	15
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13	"	21	43	"	25
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15	"	23	45	"	27
16	"	24	46	"	28
17	"	25	47	March	1
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23	February	1	53	"	8
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 - Geothermal or other underground resources, use of to be included in definition of "utility facility"—H.B. 1010 (Chapter 268)
 - Underground utility facility, activities related to to be included in definition of "commence to construct"—H.B. 1010 (Chapter 268)
- Veterans—see Armed Forces
- Veterans' Day:
 - Official date of to be returned to November 11—H.B. 659, H.B. 687 (Chapter 16), S.B. 496
 - To be deleted as school holiday—H.B. 914 (Chapter 159)
- Victims of Crime Compensation Act of 1974—H.B. 666, H.B. 1102
- Vocational Education:
 - Facility at Helena airport, appropriation for renovation and enlargement of—H.B. 760
 - Missoula area, appropriation for construction—S.B. 614
- Wages:
 - Contract cost shall be reduced when standard prevailing wage rate has been reduced—H.B. 1095
 - Disposition of those collected by commissioner of labor and industry provided for—H.B. 928 (Chapter 164)
 - National guard to be paid at civilian rate, if higher than normal pay, when performing duties also being performed by civilians—H.B. 1059
 - Payment disputes, department of labor and industry shall have power to hold hearings, make findings, decisions and orders relating to—H.B. 505
 - Police, minimum wage of to be increased in certain cities—H.B. 1048
 - Restaurant, bar and tavern wage protection act to be amended to remove liability of lessor for unpaid wages of lessee's employees—H.B. 920 (Chapter 198)
- Wally Byam Caravan Club International:
 - Encouraged to visit Montana—S.R. 47
- Warm Springs State Hospital:
 - Capital construction appropriation for—S.B. 487
 - Fees of patients in community mental health services programs to be retained by regional board—H.B. 1028 (Chapter 372)
 - Salaries, benefits and employee levels, appropriation for upgrading of—S.B. 735
 - Superintendent to be experienced hospital administrator—S.B. 641 (Chapter 338)
- Water:
 - Beneficial use of, slurry not to be included in definition of—H.B. 801 (Chapter 192)
 - Drainage district, election procedures in to be clarified—H.B. 818 (Chapter 147)
 - Floodway management and regulation act to be amended
 - to allow subdivisions to adopt exclusive land-use regulation and permit systems—H.B. 924 (Chapter 271)

- to designate flood plains and floodways—H.B. 924 (Chapter 271)
- to empower board to shorten time limit for compliance with federal flood insurance regulations—H.B. 924 (Chapter 271)
- to shorten time limit for adopting land-use regulations—H.B. 924 (Chapter 271)
- Groundwater resources of Montana, department of natural resources and conservation directed to undertake study of—H.J.R. 45
- Hydraulic project or construction shall not alter in any way the natural shape, form or course of rivers and streams—H.B. 474
- Pastoral and scenic rivers, state system of to be provided for—H.B. 892
- Public, power of fish and game commission to adopt and enforce rules for recreational use of—S.B. 528
- Public water supply, when supply serves 25 or more persons—S.B. 540 (Chapter 67)
- Rights to, priorities of water use for purpose of determining right to be prescribed—H.B. 835
- Scenic river areas to be established by board of natural resources and conservation—H.B. 865
- Stream adjudications under water use act, public representative in to be department of fish and game—H.B. 949 (Chapter 265)
- Supply, public or domestic, to be protected from pollution by livestock—H.B. 640
- Use of, priorities among categories to be prescribed for purpose of determining rights to—H.B. 835
- Use permit, authorizing department of natural resources and conservation to impose conditions on and recognizing upstream storage rights—S.B. 549 (Chapter 103)
- Wild, scenic and recreational waterways, statewide system for designation and management of—H.B. 133
- Water Conditioner Installers:
 - Exemption from regulation under board of plumbing examiners—H.B. 79
- Water Use Act:
 - Clarification and more efficient administration of provided for—S.B. 650 (Chapter 238)
 - Stream adjudications under, department of fish and game to be designated as public representative in—H.B. 949 (Chapter 265)
 - Yellowstone river basin surface water, preferred uses reservations established by act made over certain other applications for permits—S.B. 728 (Chapter 116)
- Water Well Construction Act—S.B. 434 (Chapter 232)
- Weather:
 - Summer modification, recognizing potential impact of and endorsing research for better understanding—H.J.R. 53
- Weight:
 - Devices for bulk commodities, automatic scale ticket printers and visible indicator to be required—H.B. 1025
- Welfare—see Public Welfare
- Wheat Research and Marketing Act:
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- Whiteside, Fred:
 - Memorial and statue of to be commissioned—H.R. 66
- Wibaux County:
 - Fish pond and recreation project, appropriation and contribution to—S.B. 629
- Wine—see Alcoholic Beverages, Wine and License for retail sale of
- Wolverine:
 - Wild and predatory animal classification, removal of from list—H.B. 951 (Chapter 27)

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- Employment and related needs of, functions related to to be implemented by appropriation for department of labor and industry—H.B. 566
- Ratifying proposed amendment to constitution of the United States relating to equal rights based on sex—H.J.R. 4, H.J.R. 72, S.J.R. 11

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 - division shall set fees and publish fees and awards—H.B. 735
 - firing of by administrator—H.B. 881
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- Benefit reductions, relating to—S.B. 642 (Chapter 270)
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 - appropriation for certain benefits to be paid—H.B. 1130
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- Burial expenses, maximum payment of to be increased—H.B. 843 (Chapter 194)
- Claim, payment may be made to claimant by insurer without payment being construed as admission of liability—H.B. 1021 (Chapter 173)
- Costs, certain requirements relating to to be deleted—H.B. 1021 (Chapter 173)
- Death benefits
 - certain payments to be made to dependent parent, brother or sister by equitable distribution—H.B. 1040 (Chapter 269)
 - lump sum payment to parent when no beneficiary is defined—H.B. 1040 (Chapter 269)
- Disability and death payments shall not be reduced on grounds of federal periodic benefits being received—H.B. 1099 (Chapter 272)
- Division of
 - administrator of to be appointed by commissioner of labor and industry in lieu of governor—H.B. 295
 - attorney's fees to be set by, and publications of fees and awards to be required—H.B. 735
 - legislative audit report to be made available to legislature—H.R. 65
 - quasi-judicial functions of to be transferred to board of labor appeals—H.B. 293, H.B. 294
 - safety functions of to be transferred to department of labor and industry—H.B. 292
 - to be abolished and functions transferred—H.B. 294
 - silicosis payments to surviving spouse, study of—H.R. 80
- Election of private corporation officer not to be bound by act, approval of division not required—S.B. 489 (Chapter 95)
- Exemptions
 - employment of corporation shareholders and independent contractors—S.B. 635
 - from coverage to include certain agricultural employments and employment of family members in family corporation—H.B. 860, H.B. 1022
- "Husband" or "widower" to be redefined in act—H.B. 812 (Chapter 33)
- Insurance procedures, legislative council to study state auditor's regulation of—H.J.R. 49
- Occupational disease compensation insurance plans, certain filing fees and specific physician's certificate fee to be deleted—H.B. 925 (Chapter 88)
- Personal injury, defenses not excluded in action against employer in nonhazardous or casual employment occupation—H.B. 1093
- Plan three, initial deposit premium to be limited—S.B. 544
- Plan two to be eliminated—H.B. 1012, S.B. 409
- Premium rate structure, legislative council directed to study, especially plan 2—H.J.R. 51
- Records, public disclosure of—S.B. 555
- Silicotics, study of unmarried spouses of deceased beneficiary requested with cost estimate for continuing benefits to spouses—H.R. 82
- Silicotics, study of payments to surviving spouse—H.R. 80

- Study of all aspects of act by select committee—S.J.R. 70
- Study of all aspects of workmen's compensation act—S.J.R. 70
- Sugar beet laborers to be exempt from coverage of act—H.B. 860
- Suspension of payments for thirty days pending receipt of medical information to be allowed—H.B. 1021 (Chapter 173)
- Third party suits to be removed from actions, constitutional amendment for—S.B. 378, S.J.R. 49

Yellowstone County Taxpayers' Appreciation Day:

- Declaring February 27, 1974, as and calling for appropriate recognition—S.R. 60, H.R. 63

Yellowstone River:

- Allenspur dam, construction of not recommended by legislature—S.J.R. 42
- Basin surface water, suspension of certain applications and preferred uses reservations to be established—S.B. 728 (Chapter 116)
- Diversions from to be restricted by maintenance of minimum stream flow established by departments of natural resources and conservation, health and environmental sciences, and fish and game—H.B. 836
- Industrial demands increasing, federal support to investigate repercussions of needed—H.J.R. 54
- Park system to preserve in free-flowing state established—S.B. 722

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HOUSE BILLS

Bold face figures refer to roll calls

- 22 Introduced by Ainsworth, Gerke (by request): A bill for an act entitled: "An act to amend Section 81-302, R.C.M. 1947, to provide for the manner in which land is to be classified in accordance with Article X, Section 11 of the 1972 Montana Constitution."

Page No. 223, 239, 267, 293, 295, 329, 370, 507.

- 36 Introduced by Watt: A bill for an act entitled: "An act providing for the replacement of property taxes on habitable property and certain personal property with a tax on total personal income; defining habitable property and providing for its separate listing; and providing for withholding."

Page No. 224.

- 43 Introduced by Bardonoue: A bill for an act entitled: "An act appropriating money to the Legislative Services Division of the Legislative Council for the lease and installation of bill status visual screens."

Page No. 93, 112.

- 44 Introduced by Brand: A bill for an act entitled: "An act to require walkways on both sides of railroad trestles and bridges."

Page No. 443.

- 52 Introduced by Hodges, Norman, Kimble, Staigmiller, Tierney: A bill for an act entitled: "An act increasing income allowed retired married couples to qualify for class 8 property tax classification; providing for the filing of the application for such classification in January and for the adjustment of prior taxes; and amending Section 84-301, R.C.M. 1947."

Page No. 70.

- 58 Introduced by Lockrem, Hager: A bill for an act entitled: "An act pertaining to assessment of agricultural lands; providing for procedure, defining agricultural lands, establishing a penalty, and amending Section 84-401, R.C.M. 1947, to except agricultural land from the provision requiring land to be assessed at its full cash value."

Page No. 174.

- 66 Introduced by Haines, Halvorson, Ainsworth, Mercer: A bill for an act entitled: "An act providing for the definition and punishment of shoplifting; and detention and interrogation of persons suspected of shoplifting with reasonable cause."

Page No. 628.

- 67 Introduced by R. Harper, Towe, McKittrick, Roberts, Regan, Hodges, Gunderson, Baucus, Driscoll, Bradley, Huennekens, Bennetts, Kimble, Johnston, Holmes, Colberg, Fleming, Staigmiller, Greely, Hall, Lien,

Fasbender, Swanberg, Hageman, Cotton, Edland, Jacobsen, Bardanouve: A bill for an act entitled: "An act to be known as the 'Metcalf Act' to establish an independent agency to be known as the Office of Utility Consumers' Council to represent the consumers of the state before federal and state regulatory agencies with respect to matters pertaining to certain utilities; to improve methods for obtaining and disseminating information with respect to the operations of utility companies of interest to the state and consumers; providing for the funding of such office; and providing an effective date."

Page No. 158, 171.

- 77 Introduced by Lund, Fasbender: A bill for an act entitled: "An act for the codification and general revision of the laws relating to the Department of Education, and providing that this act is effective upon its passage and approval."

Page No. 211, 271, 275, 285, 303, 602, 652, 653, 677, 680, 729.

- 79 Introduced by Prevost, Lien, Fagg, Schepens, Staigmillier, Olson, Lund, Cotton, Holtz, Manuel, Edland, Jacobsen, Brand, Bardanouve, Haines, Laas, Glennen, Fleming, Swanberg, Kvaalen: A bill for an act entitled: "An act to amend Section 66-2426, R.C.M. 1947, to provide for an exemption for water conditioner installers from regulation under the Board of Plumbing Examiners."

Page No. 158, 172.

- 86 Introduced by Lucas, Laas, Hubing, Tierney, Cox, Fagg, Bell, Greely, Ulmer, Lund, Fleming, Mercer, Kosena, Lockrem, Johnston, Warfield: A bill for an act entitled: "An act relating to 'habitual traffic offenders' providing for a system of conviction points leading to revocation of driving privileges; providing for hearings, penalties and appeal procedures; and providing an effective date of January 1, 1974."

Page No. 287, 303, 308, 328, 919, 958, 1045, 1050, 1053.

- 87 Introduced by Lucas, Swanberg, Lundgren, Tierney, Driscoll, Warfield, Rolfe, Quilici, Lynch, Mercer, Kosena: A bill for an act entitled: "An act providing for a Driver Rehabilitation Program under the Attorney General; providing for a Driver Rehabilitation Advisory Council; and providing for procedures to contribute toward improving drivers' driving attitudes, habits and techniques."

Page No. 948, 956.

- 132 Introduced by Edland, Prevost, Murphy, Norman, Kolstad, Kimble, Jacobsen, Gunderson, Fleming, Schye, Lund: A bill for an act entitled: "An act to control corporate farming; providing for administration and enforcement by the Secretary of State and Attorney General; to be known as the 'Montana Family Farm Act of 1973'."

Page No. 195.

- 133 Introduced by Fagg, Warfield, Yardley, Regan, Forsgren, McKittrick, Johnston, Stoltz, Lundgren, H. Harper, Glennen, Mercer, Castles, Norman, Lucas, Bardanouve, Bennetts, Halvorson, Colberg, Baucus, Turman, Holmes, Bradley, Kimble, Holtz, Murphy, Swanberg, Cox, Huennekens, Shelden, Fleming, Fasbender, Ainsworth, Hageman, Hager, Brown, Towe, Watt: A bill for an act entitled: "An act to establish a statewide system for designation and management of wild, scenic and recreational waterways."

Page No. 370, 386.

- 173 Introduced by Menahan, Lynch, Mehrens, Brand, McKittrick, Quilici: A bill

for an act entitled: "An act to amend Section 74-608, R.C.M. 1947; providing for a ceiling of one percent (1%)."

Page No. 337, 349.

- 177 Introduced by Laas: A bill for an act entitled: "An act abolishing the Board of Highway Appeals and transferring its functions to the Highway Commission; providing for personnel appeals; and repealing Sections 82A-704 and 82A-705, R.C.M. 1947."

Page No. 442, 467, 498, 576, 590, 620, 679.

- 187 Introduced by Murphy, Tierney, Edland, Gerke: A bill for an act entitled: "An act to amend Sections 23-3301 and 23-3304 to provide for a direct presidential primary election in Montana."

Page No. 533, 569.

- 189 Introduced by R. Harper, Gunderson: A bill for an act entitled: "An act amending Section 16-4416, R.C.M. 1947, by deleting the limitation of seven dollars (\$7) per unit user per year."

Page No. 49, 62.

- 192 Introduced by Brand, Castles: A bill for an act entitled: "An act to provide for a tax exemption on real property belonging to disabled veterans and their spouses; amending Sections 84-202 and 84-301, R.C.M. 1947."

Page No. 174.

- 193 Introduced by Fagg, Kosena, Castles: A bill for an act entitled: "An act authorizing self-liquidation of costs of urban renewal projects; and amending Section 11-3910, R.C.M. 1947."

Page No. 797, 823, 855, 961, 980, 991.

- 194 Introduced by Brand, Lundgren, Yardley: A bill for an act entitled: "An act relating to railroad equipment; establishing minimum safety, sanitation, health, and comfort requirements for railroad cabooses."

Page No. 310, 329.

- 195 Introduced by Marks: A bill for an act entitled: "An act amending Section 75-6323, R.C.M. 1947, providing that the State Examiner be the sole auditor of extracurricular funds of a school district."

Page No. 28, 47.

- 200 Introduced by Norman, Kimble, Ainsworth: A bill for an act entitled: "An act to regulate and license clinical laboratory facilities and personnel."

Page No. 70.

- 202 Introduced by Towe, Fagg, Huennekens, Bennetts, Tierney, Marbut, East, Holmes, Haines, Turman, Colberg, Hodges, Ainsworth, Kimble, H. Harper, Bradley, Watt: A bill for an act entitled: "An act providing that support of family planning shall be an affirmative policy of the state; providing for procedures, supplies and information with respect thereto; providing for administration of the act; and repealing Sections 94-3616, 94-3617, 94-3618 and 94-3619, R.C.M. 1947."

Page No. 54, 135, 151, 175, 181, 205, 443.

- 212 Introduced by Haines: A bill for an act entitled: "An act to include health

service corporations in the Montana Insurance Code for tax purposes by repealing Section 40-2611, R.C.M. 1947."

Page No. 687, 696.

- 213 Introduced by Turner, R. Harper: A bill for an act entitled: "An act permitting counties to increase expenditures for the purpose of maintaining county parks; amending Section 62-102, R.C.M. 1947; and providing an effective date."

Page No. 109, 135, 151, 158, 176, 689, 715, 716, 724, 743, 793.

- 221 Introduced by Mehrens, Lee, Quilici, Menahan, Healy, Lynch, Lombardi, Roberts, R. Harper, Driscoll: A bill for an act entitled: "An act amending Section 84-4910, R.C.M. 1947, to increase the allowance for personal exemption from income taxation."

Page No. 370, 443, 890, 915, 950, 1030, 1045, 1046, 1047, 1053.

- 224 Introduced by Hall: A bill for an act entitled: "An act governing the disposition of community property rights at death, and providing an effective date."

Page No. 23, 27, 45, 66, 746.

- 228 Introduced by Hall: A bill for an act entitled: "An act providing for estate tax apportionment to be known as the Estate Tax Apportionment Act."

Page No. 75.

- 232 Introduced by Bardanoue, Driscoll: A bill for an act entitled: "An act to amend Sections 69-3504 and 69-3504.1, R.C.M. 1947, to change the administering agency for the registration and licensing of motorboats and vessels from the Board of Equalization to the Registrar of Motor Vehicles and to provide that motorboats and vessels may be registered at the county treasurer's office."

Page No. 155, 168, 195, 200, 220, 602, 652, 653, 677, 680, 729.

- 233 Introduced by Bardanoue, Driscoll: A bill for an act entitled: "An act to amend Sections 53-1013, 53-1025 and 53-1026, R.C.M. 1947, to change the administering agency for the registration of snowmobiles from the Board of Equalization to the Registrar of Motor Vehicles and to provide that snowmobiles may be registered and tax-paid decals issued in the county treasurer's office."

Page No. 157, 168, 195, 196, 200, 220, 602, 692, 699, 704, 724, 746, 813, 814, 823, 826, 902, 1025, 1026, 1027, 1046, 1047.

- 250 Introduced by Fagg, Hall, Towe, Tierney, Kolstad, Warfield, Marbut, Bardanoue, Lund, Mercer, Holmes, Fleming, Baeth, Gunderson, Glennen, Cox, Hodges, Lee, Quilici, Norman, Baucus, Ainsworth, Regan, Lombardi, Mehrens, R. Harper, Roberts, Stephens, Brand, Flynn, Kendall, Gerke, Kvaalen, Lockrem, Huennekens, Colberg, Turner, Ellerd, Walborn, Smith, Olson, Barrett, Asbjornson, Galt, Nichols, Lundgren, Brown, Hubing, East, Murphy, Lynch, Stoltz, Staigmiller, Zimmer, H. Harper, Schye, Holtz, Aageson, Campbell, Halvorson, Castles, Marks, Edland, Hageman, Forsgren, Haines, Turman, Laas, Healy, Johnston, Selstad, Fasbender, Seifert, Kessner, Manuel, Burnett, Jones: A bill for an act entitled: "An act to be known as the 'Uniform Motor Vehicle Accident Reparations Act of 1973'; providing for reparation benefits for persons in motor vehicle accidents with limitations upon the capacity to sue in tort to specified liability instances; providing for a system of security and insurance for reparation benefits and residual tort liability; amending Section 32-1208, R.C.M. 1947; repealing

Sections 40-4403 and 53-418 through 53-458, R.C.M. 1947; and providing an effective date."

Page No. 33.

- 280 Introduced by Baucus, Shelden, Bradley, Hall, Fasbender: A bill for an act entitled: "An act abolishing the Office of Investment Commissioner, the Investment Department, the position of Commissioner of Insurance, and the Insurance Department and transferring their functions to the Department of Business Regulation."

Page No. 609, 620, 647, 660, 670.

- 285 Introduced by Towe: A bill for an act entitled: "An act requiring the State Department of Revenue to remit the proceeds of the business and occupations license tax to local governments and to counties for the support of public schools; requiring local governments and counties to reduce property tax levies; and providing an effective date."

Page No. 168, 191.

- 291 Introduced by Laas, Johnston, Burnett: A bill for an act entitled: "An act to amend Section 84-1832.1, R.C.M. 1947, to provide for state assumption of paved federal and secondary highway maintenance; and to provide funding for such state maintenance."

Page No. 78, 95.

- 297 Introduced by Bardanouve, Ainsworth, Greely, H. Harper, Swanberg, Lee, Bell, Marbut, Yardley, Gunderson, Cox, Staigmilller, Baucus, Fagg, Brand, Mehrens, Hall, Watt, Castles, Bennetts, Fasbender, Hodges, Quilici, Lynch, Bradley, Healy, Holmes, Kvaalen, Warfield, Forsgren, Menahan, Barrett, Flynn: A bill for an act entitled: "An act amending Section 11-1829, R.C.M. 1947, to authorize the investment of police retirement fund money in time or savings deposits in banks, building and loan associations and savings and loan associations."

Page No. 64, 66, 75, 132, 133, 135, 140, 195.

- 298 Introduced by Bardanouve, Haines, R. Harper, Ainsworth, H. Harper, Greely, Swanberg, Bennetts, Cox, Staigmilller, Bell, Lee, Marbut, Yardley, Fagg, Gunderson, Baucus, Brand, Mehrens, Hall, Watt, Castles, Fasbender, Hodges, Quilici, Lynch, Bradley, Healy, Holmes, Kvaalen, Warfield, Forsgren, Menahan, Barrett: A bill for an act entitled: "An act amending Section 16-2618, R.C.M. 1947, to authorize county, city and town treasurers to deposit public moneys in savings and loan associations."

Page No. 4, 55, 135, 151, 158, 176, 442, 467, 498, 640, 641, 671, 708.

- 299 Introduced by Bardanouve, Greely, Swanberg, H. Harper, Ainsworth, R. Harper, Lee, Marbut, Bell, Yardley, Gunderson, Cox, Staigmilller, Baucus, Fagg, Brand, Mehrens, Hall, Castles, Bennetts, Fasbender, Hodges, Quilici, Lynch, Bradley, Healy, Holmes, Kvaalen, Warfield, Forsgren, Menahan, Barrett, Flynn: A bill for an act entitled: "An act amending Section 11-1914, R.C.M. 1947, to authorize the investment of Fire Department Relief Association funds in time or savings deposits in banks, building and loan associations and savings and loan associations."

Page No. 64, 66, 75, 132, 133, 135, 140, 195.

- 300 Introduced by Bardanouve, Haines, H. Harper, R. Harper, Ainsworth, Bell, Greely, Swanberg, Gunderson, Lee, Cox, Staigmilller, Marbut, Yardley, Baucus, Fagg, Brand, Mehrens, Hall, Watt, Castles, Bennetts,

Fasbender, Hodges, Prevost, Quilici, Lynch, Bradley, Healy, Holmes, Kvaalen, Warfield, Forsgren, Menahan, Barrett, Flynn: A bill for an act entitled: "An act amending Sections 79-301, 79-302 and 79-306, R.C.M. 1947, to authorize the deposit of public moneys in savings and loan associations."

Page No. 4, 56, 135, 151, 158, 177, 401, 450, 451, 461, 481, 505.

- 305 Introduced by Brand, Burnett, Lee, Lynch, Lombardi, Quilici, Lund, McKittrick, Staigmilller, Baeth, Kessner, Bradley, Shelden, Murphy, Lundgren, Cox, Barrett, Marbut, Seifert, Walborn, Schye, Schepens, Kendall, Yardley, Stephens: A bill for an act entitled: "An act to provide for the payment of an honorarium or adjusted compensation to each resident of Montana in military service during the Vietnam War between August 5, 1964, and a date to be announced by the United States Government proclaiming the cessation of hostilities in Southeast Asia; and to appropriate from the general fund twelve million dollars (\$12,000,000) for the payment of such honorarium and adjusted compensation and the administration of the law."

Page No. 96, 499, 532, 572, 589, 635, 1030, 1050, 1051, 1053.

- 316 Introduced by Fasbender: A bill for an act entitled: "An act abolishing the State Board of Hail Insurance and the Department of Hail Insurance and transferring their functions to the Department of Business Regulation; transferring functions of the State Auditor in Section 82A-2103, R.C.M. 1947; and repealing Section 82A-2103, R.C.M. 1947."

Page No. 68, 81.

- 319 Introduced by Haines: A bill for an act entitled: "An act increasing the size of the Board of Trade; modifying the terms and compensation of its members and the method of designating its chairman; amending Sections 27-301, 27-306 and 27-310, R.C.M. 1947, to bring all retail stores within the scope of the licensing and enforcement powers of the Board; amending Sections 27-302, 27-303, 27-305, 27-307, 27-308, 27-313 and 27-314, R.C.M. 1947, to make reference to the Board of Trade instead of the Montana Trade Commission; and repealing Section 27-312, R.C.M. 1947."

Page No. 158, 172.

- 322 Introduced by Lee, Lynch, Quilici, Lombardi, Healy, R. Harper, Mehrens, Kosenka, Brand, Fleming, Gerke: A bill for an act entitled: "An act to change the dates for payment of property taxes and special assessments; and amending Sections 84-4101, 84-4103, 84-4104 and 84-4111, R.C.M. 1947."

Page No. 201, 218.

- 326 Introduced by Kimble, McKittrick, Murphy, Norman, Baucus, Turman, Marbut: A bill for an act entitled: "An act to amend Sections 69-1501, 69-1508, 69-1509, 69-1512, 69-1601, 69-1604 and 94-35-212, R.C.M. 1947, to upgrade qualifications for hoisting engineers; to eliminate special inspectors of boilers; and to revise fees for engineer license in the State of Montana."

Page No. 13, 576, 577, 620, 647, 651, 652, 654, 668, 865.

- 333 Introduced by Fasbender: A bill for an act entitled: "An act abolishing the Board of Administration of the Public Employees' Retirement System, the Montana State Game Wardens' Retirement Board, the Montana Judges' Retirement Board, and the Teachers' Retirement Board and transferring their functions to the Department of Administration and to a Board of Teachers' and Public Employees' Retirement; and repealing Sections 82A-210, 82A-211, 82A-212, R.C.M. 1947."

Page No. 137.

- 336 Introduced by Kolstad, Aageson, Murphy, Laas: A bill for an act entitled: "An act to amend Sections 59-519 and 59-520, R.C.M. 1947, to allow school boards to appoint school personnel within one degree of consanguinity and affinity."

Page No. 28, 48.

- 337 Introduced by Glennen, Mercer, Lombardi: A bill for an act entitled: "An act amending Sections 11-1814 and 11-1821, R.C.M. 1947, allowing computation of retirement allowance in proportion to the current and changing pay schedules of the active police force."

Page No. 49, 63.

- 341 Introduced by Shelden, Bardanoue, Turman, Baeth, Fasbender, Burnett, Haines, Fagg, Watt, Bradley, Flynn, Kosena, Quilici, Kendall, Warfield, Greely: A bill for an act entitled: "An act concerning the division of land into lots; providing for the adoption and enforcement of subdivision rules by counties in accordance with standards established by the Department of Intergovernmental Relations; providing for submission of a preliminary plan; providing for review and referral thereof; providing for public hearings and prescribing criminal penalties and criminal remedies of violations of the act."

Page No. 33.

- 345 Introduced by Towe, Greely: A bill for an act entitled: "An act amending Section 11-1821, R.C.M. 1947, providing for a cost-of-living increase in subsequent payments to retired policemen."

Page No. 23, 138, 147.

- 351 Introduced by Bardanoue: A bill for an act entitled: "An act providing the State Highway Commission with the power to regulate the height of advertising signs; and establishing a maximum height for those signs."

Page No. 378, 399.

- 355 Introduced by Kvaalen, Prevost: A bill for an act entitled: "An act to amend Section 89-1804, R.C.M. 1947, to eliminate the four dollar (\$4) per acre limitation for administration and maintenance costs in irrigation districts."

Page No. 68, 82.

- 356 Introduced by Colberg, Walborn: A bill for an act entitled: "An act providing for a referendum to be submitted to the electors in November 1973 for amending Section 93-9902, R.C.M. 1947; and removing the provision that mining, extraction of ores, metals, or minerals owned by one person, located beneath or upon the surface of property owned by another person, is a public use in behalf of which the right of eminent domain may be exercised."

Page No. 94, 112.

- 360 Introduced by Marbut, Holmes, Turner, Turman, McKittrick, Bennetts, Castles: A bill for an act entitled: "An act providing that parents of long-term patients at institutions administered by the Division of Mental Hygiene and the Division of Mental Retardation of the Department of Institutions are liable only to the extent of the cost of caring for a normal child at home as determined from standard sources by the Department of Institutions."

Page No. 900, 926, 949, 1025, 1026, 1027, 1046, 1047.

- 361 Introduced by Bell, Bardanouve: A bill for an act entitled: "An act to amend Section 84-4905, R.C.M. 1947, to exempt retirement income of military personnel and policemen and firemen retirement benefits income from adjusted gross income."

Page No. 295, 310.

- 366 Introduced by Regan, Hall: A bill for an act entitled: "An act relating to the assignability of consumer paper."

Page No. 33.

- 371 Introduced by Kimble, Bennetts, Watt, H. Harper, Bradley, Edland, Norman, Murphy, Regan, Holmes: A bill for an act entitled: "An act creating the Montana Traffic Safety Act of 1973; requiring the construction of footpaths and bicycle trails in certain cases; and permitting their construction in certain other cases."

Page No. 508, 589, 630, 645, 646, 654, 899.

- 385 Introduced by Marbut, Lucas, Warfield, Cox, Shelden, Gunderson: A bill for an act entitled: "An act entering the State of Montana into the Compact for Education and providing for an Education Council."

Page No. 480.

- 386 Introduced by Marbut, Haines, Warfield, Holmes, Hall, Gunderson, Cox, Greely, McKittrick, Hodges: A bill for an act entitled: "An act to amend Sections 75-7801, 75-7805 and 75-7813, R.C.M. 1947, to expand the definition of handicapped to include educationally handicapped children and to require mandatory special education services; and to repeal Sections 75-7806, 75-7807 and 75-7812, R.C.M. 1947."

Page No. 450, 464, 619, 634, 677, 741, 742, 743, 788, 792.

- 387 Introduced by Fagg: A bill for an act entitled: "An act to be known as the 'Manufactured Building Act of 1973'; establishing a Building Code Council; providing for procedures and rules establishing standards and requirements for manufactured buildings and building components; providing for the Department of Law Enforcement and Public Safety to administer the act; providing penalties and fees; and repealing Sections 69-2104 through 69-2120, R.C.M. 1947."

Page No. 159, 172.

- 390 Introduced by Kimble, Norman, Hodges: A bill for an act entitled: "An act to regulate security deposits required by a landlord of residential premises for damages or nonpayment of rent or performance of a written or oral lease."

Page No. 76, 82.

- 398 Introduced by Towe: A bill for an act entitled: "An act to amend Section 84-401, R.C.M. 1947, relating to assessment of property at full cash value."

Page No. 168, 192.

- 399 Introduced by Bell, Brand: A bill for an act entitled: "An act to provide for the payment of an honorarium or adjusted compensation to Montana residents receiving the Vietnam Service Medal in military service during the Vietnam War between August 5, 1964, and a date to be announced by the United States Government proclaiming the cessation of hostilities

in Southeast Asia; and to appropriate from the general fund nine million nine hundred fifty thousand dollars (\$9,950,000) for the payment of such honorarium and adjusted compensation and the administration of the law."

Page No. 387.

- 401 Introduced by Glennen, Cox, McKittrick, Menahan, Greely: A bill for an act entitled: "An act amending Section 11-1825, R.C.M. 1947, increasing the deduction from the compensation of active police officers from three percent (3%) to five percent (5%) for the payment of reserve police officers."

Page No. 49, 63.

- 412 Introduced by Marbut, Healy, Castles, Brown, Fagg, Towe, Holmes, Hall, Driscoll: A bill for an act entitled: "An act expanding duties and services of the Division of Mental Retardation of the State Department of Institutions by establishing and conducting developmental disabilities clinics and community comprehensive developmental disabilities centers; creating regional developmental disabilities boards; providing for the organization thereof; defining the duties of regional developmental disabilities boards; authorizing the participation of the Division of Mental Retardation of the State Department of Institutions in contractual or cooperative arrangements with regional developmental disabilities boards and others; providing the Division of Mental Retardation and the regional developmental disabilities boards the authority to receive gifts, grants, donations, and any other form of support and enabling counties participating in regional developmental disabilities programs to use tax moneys to finance the programs of prevention diagnosis and treatment of developmental disabilities; giving the Division of Mental Retardation of the State Department of Institutions general supervisory power and control over all public developmental disabilities programs in the State of Montana."

Page No. 57, 135, 151, 200, 221, 1010, 1017, 1020, 1050, 1051, 1053.

- 421 Introduced by Tierney: A bill for an act entitled: "An act to amend Section 66-1503, R.C.M. 1947, to increase the Board of Pharmacists to five (5) members from three (3) members, each appointed for a five (5) year term, and to require that one member be employed at a hospital."

Page No. 78, 93, 130, 135, 152, 689.

- 424 Introduced by Shelden: A bill for an act entitled: "An act amending Sections 11-3801, 11-3803, 11-3825 and 11-3842, R.C.M. 1947; to require, subject to public review, the creation of county planning boards; to expand the definition of 'planning board' to include county planning boards; to establish a uniform mill levy ceiling for city and county planning boards; and eliminating certain procedural requirements for the filing of subdivision plats."

Page No. 709.

- 439 Introduced by Baucus, Bardanouve, Marbut, Turman, Bradley, Ainsworth, Haines, Norman, Kimble, Cotton, Gunderson, Gerke, Watt, Bennetts, Kosena, Mehrens, Lynch, Hageman, Towe: A bill for an act entitled: "An act creating the Office of Montana Citizens' Advocate to provide representation of citizen problems before state agencies."

Page No. 199.

- 448 Introduced by Fagg, Smith, Walborn, Galt, Schye, Hager, Lien, Swanberg, Staigmiller: A bill for an act entitled: "An act to amend Sections 84-301 and 84-302, R.C.M. 1947, to establish livestock in feed lots as a new

class for the purpose of property taxation; and to provide a percentage of full and true value as the basis for the taxation."

Page No. 461, 522, 542, 566, **605**, 869, 913, **927**, 1026, 1027, 1046, 1047.

- 457 Introduced by Bennetts, Jacobsen, Marbut, Seifert: A bill for an act entitled: "An act to appropriate money to the Department of Social and Rehabilitation Services for the construction and operation of a multipurpose orientation center for the adult blind in Montana by the Visual Services Division."

Page No. 182, **202**.

- 460 Introduced by Cox, Lucas, Kvaalen, Nichols, Glennen, Lund, Warfield: A bill for an act entitled: "An act to create revenue from the levy of a severance tax on coal for the purpose of support of county government, the Department of Lands, the Environmental Quality Council, and the Department of Natural Resources, and for the development of parks and recreation; repealing Section 84-1302, R.C.M. 1947; and providing an effective date."

Page No. 890, 915, **950**, 1011, 1044, 1046, 1047, 1053.

- 461 Introduced by Baucus, Haines, Ainsworth, Hodges, Turman, Greely, McKittrick, Schye, Murphy: A bill for an act entitled: "An act to provide for creation of joint tenancies with right of survivorship and subsequent transfer of property in the tenancy at the death of a spouse without court intervention."

Page No. 746.

- 466 Introduced by Marks, H. Harper, Cotton, Gunderson, Castles, Bell: A bill for an act entitled: "An act amending Sections 75-6317, 75-7201 and 75-7202, R.C.M. 1947, to repeal the elementary and high school tuition schedules; and to establish the annual calculation of a high school district's tuition rate on the basis of actual expenditures."

Page No. 842, 873, **883**, 1004, 1005, 1014, 1020.

- 473 Introduced by Bennetts, Baucus, Watt, Turman, Haines, Lynch, Lee, Kimble, Greely: A bill for an act entitled: "An act to provide that a person convicted of a felony who has served his sentence and is no longer under state supervision be restored the right to enter any occupation requiring state licensing; and amending Sections 4-412, 27-311, 46-2510, 66-112, 66-403, 66-510, 66-913, 66-1036, 66-1038, 66-1240, 66-1312, 66-1504, 66-1834, 66-1937, 66-2115, 66-2210, 66-2345, 66-2509, 66-2610, 66-2714, 66-3017, 66-3209, 75-6010 and 93-2027, R.C.M. 1947."

Page No. 869, 913, 916.

- 474 Introduced by Swanberg, Lien, McKittrick, Turman, Mercer, Fasbender: A bill for an act entitled: "An act to provide for the extension of policy of preserving natural and existing shape, form and course of rivers and streams in the State of Montana to activities of private persons or organizations in addition to activities of public agencies; providing for the reporting to United States agencies of activities which adversely affect fishing streams and other fish and wildlife resources; providing for penalties and enforcement; amending Sections 26-1502, 26-1505 and 26-1506, R.C.M. 1947; and repealing Section 26-1507, R.C.M. 1947."

Page No. 412, 481, 542, 620, **654**, 865.

- 478 Introduced by Lund, Lockrem: A bill for an act entitled: "An act supplementing the Corrupt Practices Act, Title 94, Chapter 14, R.C.M. 1947, by providing that all political committees must file an organizational

statement with the Secretary of State before it may solicit, receive or expend any funds; and providing a penalty."

Page No. 797, 823, **855**, 944, 962, 980, 1021.

- 479 Introduced by Hager: A bill for an act entitled: "An act amending Section 23-3005, R.C.M. 1947, requiring the use of social security numbers as registry numbers."

Page No. 87, 96, 97, 107, **132**, 158, 168, 182, 256.

- 489 Introduced by Greely, Swanberg, Fasbender: A bill for an act entitled: "An act amending Section 84-1501, R.C.M. 1947, relating to the corporation license tax by subjecting corporations to tax on the basis of total net income; provided, that corporations having income from business activity which is taxable both within and without Montana shall be taxed on the basis of net income derived from or attributable to Montana sources; and amending Section 84-1503, R.C.M. 1947, to provide for the allocation and apportionment of income of corporations having income from business activity which is taxable both within and without Montana."

Page No. 137, 152, **166**, 200, 208, 211, 295, 351.

- 493 Introduced by Lombardi, McKittrick, Healy, Lee, Mehrens, Regan, Haines, Marbut, Clemow, Campbell, Laas, Fleming, Kosena, Menahan, Ainsworth, Murphy, Flynn, Quilici, Glennen, Lynch, Johnston, Greely, Stoltz, Yardley, Baeth, Asbjornson: A bill for an act entitled: "An act concerning the establishment and operation of a state lottery; creating the Division of the State Lottery in the Department of Revenue and prescribing its functions, powers and duties."

Page No. 39.

- 494 Introduced by Fagg, Lucas, Tierney, Flynn, Edland, Hager, Glennen, Rolfe: A bill for an act entitled: "An act to require motor vehicle inspections in the State of Montana; and providing an effective date."

Page No. 378, 397, 621, 641, 642, 646, 647, **661**, 669, **670**, 869, 913, **927**, 1024, 1026, 1027, 1046, 1047.

- 495 Introduced by Watt: A bill for an act entitled: "An act to fix different taxable valuations on land and on the improvements on land; and amending Sections 84-301 and 84-302, R.C.M. 1947."

Page No. 355, **368**.

- 497 Introduced by Cox, Glennen, Olson, Barrett, Ainsworth, Schye, Bell, Murphy: A bill for an act entitled: "An act requiring the State Department of Revenue to remit a portion of the income taxes received by the department to local governments and requiring said governments to use seventy-five percent (75%) of said moneys for property tax relief; and providing an effective date."

Page No. 705, **727**.

- 498 Introduced by Watt, Fasbender: A bill for an act entitled: "An act amending Section 84-4902.1, R.C.M. 1947, raising the surtax on the Montana individual income tax to fifteen percent (15%) of the tax liability."

Page No. 109, **136**.

- 499 Introduced by R. Harper, Towe, Gunderson, Kimble, Edland, Murphy, Driscoll, Baucus, Bradley, Greely, Turman, Marbut, Watt: A bill for an act entitled: "An act to require furnishing of information on public utilities providing heat, power and light to the Consumer Counsel."

Page No. 216, 258, 275, **276**.

- 503 Introduced by Healy, Schye, Lee, Lockrem, Quilici, Lynch, Ulmer, Brand, Clemow, R. Harper, Asbjornson, Nichols, Haines, Lombardi, Flynn: A bill for an act entitled: "An act to create the resource indemnity trust account in the trust and legacy fund; to provide for the funding of the account from taxes imposed on the value of product of nonrenewable resource extracting industries; and amending Sections 84-1210, 84-1309, 84-1901 and 84-5908, R.C.M. 1947."

Page No. 169, 192.

- 507 Introduced by Lynch, Clemow, Ellerd, Greely, Quilci, Lee, Lombardi, Healy, Mehrens, R. Harper, Tierney, Castles, Turner: A bill for an act entitled: "An act legalizing gambling; creating the Montana Gaming Control Board; prescribing its duties and powers; providing for classes of gaming licenses and license fees and taxes; providing for the collection and disposition of license fees and taxes; providing for local option elections; and providing penalties."

Page No. 28, 33, 37, 43, 45, 47, 480, 804, 823, 838, 839, 864, 983, 984, 994, 995, 1000, 1012, 1046, 1047, 1051.

- 514 Introduced by Gunderson, Haines, Clemow, Yardley: A bill for an act entitled: "An act to limit, license, regulate, and control gambling; establishing a Gaming Control Board and specifying its powers and duties; and providing penalties for violations of this act."

Page No. 39.

- 515 Introduced by Ulmer: A bill for an act entitled: "An act to control gambling; establishing a gaming commission in the Department of Revenue having exclusive authority to license gambling activities and to sell gambling devices, the revenue to be applied to the state equalization aid account; and repealing Sections 94-2401 through 94-2432."

Page No. 39.

- 517 Introduced by Swanberg, Walborn, Smith, Bradley, R. Harper, Edland, Towe: A bill for an act entitled: "An act establishing a fee on acres to be surface mined or having been surface mined which have not been released from a reclamation bond."

Page No. 163.

- 518 Introduced by Swanberg, Lockrem, Fagg, Cox, Gerke, Watt, Greely, McKittrick, Hodges, Staigmilller, Gunderson, Hall, Yardley: A bill for an act entitled: "An act providing for a severance tax upon all oil and gas produced and saved from reservoirs in Montana; establishing the rates of such tax and the deduction of certain capital expenditures and operating costs; providing procedures for the determination of values of production, the filing of statements, and the payment of the tax; providing penalties for violations of the act; providing for the allocation of revenues from the severance tax to the state general fund, to counties in which the oil and gas was produced, and to school districts within such counties; providing that the severance taxes shall be in lieu of net proceeds taxes on natural gas and petroleum or other crude or mineral oil; exempting oil and gas in place from taxation; and repealing Sections 84-6201 through 84-6215, R.C.M. 1947."

Page No. 4, 169, 192.

- 521 Introduced by Norman, Roberts: A bill for an act entitled: "An act to provide for the use of identifying devices; and to provide for the duty owed disabled persons."

Page No. 68, 82.

- 526 Introduced by Lee: A bill for an act entitled: "An act making lawful the conducting of games of chance, commonly known as punchboards; defining terms; providing for the manufacture, licensing and regulation of punchboards; and providing for the enforcement of this act."

Page No. 40.

- 527 Introduced by Towe, Bradley, Huennekens, Holmes, Staigmiller, Turman, Marbut, Regan, H. Harper, Norman, Baucus, Murphy, Aageson, Bennetts: A bill for an act entitled: "An act providing for the imposition of an annual disturbed land fee; increasing the strip coal mines license tax; and amending Section 84-1302, R.C.M. 1947."

Page No. 716, 805, 860, 872, 881, 1039.

- 528 Introduced by Towe, Marbut, Turman, R. Harper, Glennen, Huennekens, Gerke, Holmes, Regan, Fagg, Mercer, H. Harper, Baucus, Bradley: A bill for an act entitled: "An act to provide for determination and treatment of mentally ill; and repealing Sections 38-109, 38-112 through 38-116, 38-120, 38-201 through 38-211, 38-213 and 38-401 through 38-408, R.C.M. 1947."

Page No. 865.

- 529 Introduced by Towe: A bill for an act entitled: "'The Montana Tax Reform Act of 1973'; providing for the imposition of a Montana income tax which is equal to a percentage of the federal income tax payable on Montana taxable income; requiring corporations to pay a business and occupation license tax measured by gross receipts; amending Sections 84-1901, 84-4903.1, 84-4924 and 84-4939, R.C.M. 1947; repealing Sections 84-4901, 84-4902, 84-4903, 84-4905, 84-4906, 84-4907, 84-4908, 84-4909, 84-4910, 84-4912, 84-4914, 84-4915 and 84-4917, R.C.M. 1947; and providing an effective date."

Page No. 169, 193.

- 533 Introduced by H. Harper, Holmes, Marks: A bill for an act entitled: "An act defining gambling; making gambling activities illegal; providing penalties for violations; and repealing Sections 94-2401 through 94-2432, R.C.M. 1947."

Page No. 40, 41, 76, 83.

- 535 Introduced by Lee, Murphy (by request): A bill for an act entitled: "An act to provide for and obtain revenue from a state supervised, but privately operated, lottery with all lottery drawings regulated by the Board of Examiners of the State of Montana, or its appointees; amending Title 94, Chapter 30, R.C.M. 1947, by adding new sections which read as follows:"

Page No. 40.

- 542 Introduced by Holmes, Towe, Huennekens, Baucus, H. Harper, Aageson, Kimble, Murphy, Shelden, Gunderson, Cotton, Bardanouve: A bill for an act entitled: "An act to prevent discrimination in employment, public accommodations, education, and real property transactions; to establish a Commission on Human Rights; to authorize the creation of local commissions and to make uniform the law with reference thereto, and for other purposes; and repealing Sections 64-302 and 64-303."

Page No. 865.

- 546 Introduced by Hodges (by request): A bill for an act entitled: "An act making

lawful the conducting of games of chance, commonly known as punchboards; defining terms; providing for the licensing and regulation of punchboards; and providing for the enforcement of this act."

Page No. 41, 748.

- 550 Introduced by Bardanouve, Fagg: A bill for an act entitled: "An act adding new sections to Chapter 47, Title 16, R.C.M. 1947; providing for the protection and enhancement of shoreland areas; county zoning; assistance by the Department of Natural Resources and Conservation; and zoning by that department upon default by a county."

Page No. 451, 481, 516, 589, 635, 865.

- 554 Introduced by Haines, Kolstad, Murphy: A bill for an act entitled: "An act establishing a program for the control of litter within the state; establishing the Department of Natural Resources and Conservation as the enforcing agency; prohibiting littering and providing fines therefore; establishing the responsibility for the removal of litter; establishing a litter assessment upon certain items; establishing a litter control account within the general fund; repealing Sections 94-3335 through 94-3344, R.C.M. 1947; and providing for an effective date."

Page No. 68, 83.

- 556 Introduced by Fagg, Regan, Holmes, Turman, Cox, Huennekens, Towe, Marbut, Norman: A bill for an act entitled: "An act establishing prerequisites and procedures for municipalities to annex contiguous areas and authorizing freeholders to petition for annexation; requiring municipalities to plan the extension of governmental services to such areas; and providing for judicial review of annexation proceedings."

Page No. 842, 873, 902, 903, 904, 916, 946, 969, 971, 972, 975, 1042, 1046, 1047, 1051.

- 557 Introduced by Hall, Kolstad, Cox, Menahan, Turman, Lynch, Hager, Mehrens, Schepens, Lombardi, Quilici, Baeth, Yardley, Lee, Prevost, Halvorson, Regan, Brown, Tierney, Warfield, Brand, Healy, Holtz, R. Harper, Huennekens, Gerke, H. Harper, Murphy, Aageson, Holmes, Kosen, Stephens, Mercer, Driscoll, Jones: A bill for an act entitled: "An act to be known as the 'Uniform Probate Code' relating to affairs of decedents, missing persons, protected persons, minors, incapacitated persons and certain others; consolidating and revising the law relating to wills and intestacy and the administration and distribution of estates of decedents, missing persons, protected persons, minors, incapacitated persons and certain others; ordering the powers and procedures of the court concerned with the affairs of decedents and certain others; providing for the validity and effect of certain nontestamentary transfers, contracts and deposits which relate to death and appear to have testamentary effect; repealing Section 91-1501, R.C.M. 1947; and providing an effective date."

Page No. 75, 160, 182, 195, 200, 204, 328, 344, 797, 823, 855, 1038, 1043, 1046, 1047.

- 559 Introduced by Baucus, Bardanouve, Tierney, Greely, Murphy, Watt, Halvorson, H. Harper, Bradley: A bill for an act entitled: "An act providing for voter registration on and in the thirty (30) day period before an election day; allowing electors who have registered in this period to vote in the election; amending Sections 23-3011, 23-3012, 23-3015, 23-3018 and 23-3024, R.C.M. 1947; repealing Sections 23-2704, 23-3016 and 23-3017, R.C.M. 1947; and adding a new section to be numbered 23-3104, R.C.M. 1947."

Page No. 506, 874.

- 563 Introduced by Nichols, Fasbender: A bill for an act entitled: "An act providing for the removal of wholesale and retail milk price control from the Montana Milk Control Act while retaining flexible price control for producers only; amending Sections 27-401, 27-403 through 27-405, 27-407 through 27-411, 27-413, 27-414.2, 27-415 through 27-417, 27-420 through 27-422, 27-424, 27-426, 27-428, 27-429, R.C.M. 1947; and repealing Sections 27-414, 27-414.1 and 27-418, R.C.M. 1947."

Page No. 69, 83.

- 565 Introduced by Haines, Ainsworth: A bill for an act entitled: "An act generally recodifying the election laws; combining certain elections on one (1) day; deleting outmoded posting, proclamation, and notice requirements; consolidating and making uniform filing deadlines; changing voting times; generally certain housekeeping amendments throughout Title 23; amending Sections 23-2605, 23-3002, 23-3003, 23-3015, 23-3016, 23-3023, 23-3204, 23-3302, 23-3305, 23-3307, 23-3321, 23-3505, 23-3611, 23-3703, 23-3704, 23-3705, 23-3706, 23-3818, 23-3903 and 75-5912, R.C.M. 1947; and repealing Sections 23-2902, 23-2903, 23-3303 and 23-3709, R.C.M. 1947."

Page No. 364, 382.

- 566 Introduced by Bennetts, Tierney, Lynch, McKittrick, Lee, Colberg: A bill for an act entitled: "An act appropriating seventy-three thousand seven hundred sixty dollars (\$73,760) to the Department of Labor and Industry from the general fund to implement functions relative to the employment and related needs of women."

Page No. 904, 951, 1030, 1045, 1046, 1047, 1053.

- 567 Introduced by Flynn, Glennen: A bill for an act entitled: "An act to amend Sections 69-1502, 69-1508 and 69-1512, R.C.M. 1947, relating to inspection and operation of steam boilers and steam machinery; to repeal Sections 69-1509, 69-1510, 69-1511, 69-1513, 69-1514, 69-1516 and 69-1517, R.C.M. 1947, relating to the licensing of engineers to operate steam boilers and steam machinery; and providing an effective date."

Page No. 550, 620, 648, 651, 653, 668, 865.

- 568 Introduced by Huennekens, Johnston: A bill for an act entitled: "An act providing that there shall be access to state lands and that state lands shall be open to the general public for recreational use except in certain cases; and amending Section 81-908, R.C.M. 1947."

Page No. 169, 171, 195.

- 576 Introduced by Bardanouve, Fasbender: A bill for an act entitled: "An act to submit to the qualified electors of Montana an amendment to Article IX, Section 2, of the Constitution of Montana establishing a resource indemnity trust in the state which shall be forever inviolate and guaranteed by the state against loss or diversion."

Page No. 198, 210, 238, 240, 264, 576, 842, 885, 886, 896, 915, 933.

- 577 Introduced by Fasbender: A bill for an act entitled: "An act authorizing a collection service in the Montana Department of Revenue for the purpose of centralizing the collection of all debts owing to the State of Montana."

Page No. 78, 109, 138, 158, 177, 709, 766, 767, 773, 867, 933.

- 582 Introduced by Bardanouve, Marbut, Lund, Fasbender: A bill for an act entitled: "An act for the codification and general revision of the laws

relating to the Department of Administration, and providing that this act is effective upon its passage and approval."

Page No. 797, 823, **855**, 1024, 1026, 1027, 1046, 1047.

- 583 Introduced by Kimble, Swanberg, Bell: A bill for an act entitled: "An act to amend Section 84, Chapter 49, R.C.M. 1947, by adding a new section exempting the first one thousand dollars (\$1,000) of compensation received from the United States for service as a reserve or active member of the Armed Forces from imposition of income tax."

Page No. 689.

- 586 Introduced by Bardanouve, Kosena: A bill for an act entitled: "An act to amend Section 28-109, R.C.M. 1947, providing for an increase in fire protection and suppression fees paid by owners of classified forest land from not more than ten cents (10¢) per acre to not more than twenty-five cents (25¢) per acre for Class I lands and from not more than three cents (3¢) per acre to not more than ten cents (10¢) per acre for Class II lands."

Page No. 731, 751, 757, 772, 793, 947, 971, **974**, 1026, 1027, 1046, 1047.

- 587 Introduced by Hodges: A bill for an act entitled: "An act to repeal the authority granted to city councils to levy a poll tax, repealing Sections 11-951 and 84-4732 through 84-4735, R.C.M. 1947."

Page No. 49, 67, 75, 78, **91**, 709, 753, 758, 777, 867, **874**, 933.

- 590 Introduced by Fasbender, Lund: A bill for an act entitled: "An act for the codification and general revision of the laws relating to the Department of Intergovernmental Relations, and providing that this act is effective upon its passage and approval."

Page No. 842, 873, **883**, 1038, 1043, 1046, 1047.

- 591 Introduced by Brand, Burnett, Lombardi, Lee, Healy: A bill for an act entitled: "An act to provide for the payment of an honorarium or adjusted compensation to each resident of Montana in military service in the Vietnam area during the Vietnam War between August 5, 1964, and March 31, 1973; to authorize the State of Montana to become indebted in the sum of two million five hundred thousand dollars (\$2,500,000) in excess of the constitutional limitation of indebtedness and over and above any bonded indebtedness heretofore incurred or created and for which the State of Montana is now obligated, for the payment of such honorarium and adjusted compensation and the administration of this act; to provide for the issuance of bonds in the name of the State of Montana as evidence of such indebtedness and for the sale thereof; to provide for the levy of an annual tax upon all taxable property in the State of Montana sufficient, with other funds on hand and appropriated for the purpose, to pay the bonds and the interest accruing thereon; to levy and provide for the collection of an excise tax upon cigarettes sold or possessed in the State of Montana in addition to and in the same manner as the cigarette taxes now imposed by Section 84-5606, R.C.M. 1947; to create and provide for the administration of a Vietnam veterans' compensation fund and bond fund for the payment of such honorarium or adjusted compensation, the bonds and interest thereon, and the expenses of administration of the act; to pledge the continuation of the levy and collection of the cigarette tax and the appropriation thereof and of the proceeds of the bonds to these funds; to make the bonds a legal investment for funds of the State of Montana; to provide penalties for violation of provisions of the act; to amend Sections 84-5606 and 84-5606.30, R.C.M. 1947; to make other provisions germane to the main purpose of this act; and to provide for a referendum of this act."

Page No. 689.

- 592 Introduced by Marbut, Fasbender, Lund, Bardanouve: A bill for an act entitled: "An act for the codification and general revision of the laws relating to the Department of Institutions, and providing that this act is effective upon its passage and approval."

Page No. 115, 138, **154**, 293, 295, 329, 342, 351, 358, 364, **404**, 753, 758, 867, 933.

- 593 Introduced by Marbut, Fasbender, Lund, Bardanouve: A bill for an act entitled: "An act for the codification and general revision of the laws relating to the Department of Social and Rehabilitation Services."

Page No. 629, 692, **701**, 788, 795, 867, 933.

- 594 Introduced by Roberts, Brand: A bill for an act entitled: "An act to require electrified railroads to maintain electrification facilities and continue electric operations; and to provide an effective date."

Page No. 342, **353**.

- 595 Introduced by Fasbender, Marbut: A bill for an act entitled: "An act for the revision of laws relating to the Department of Health and Environmental Sciences, and providing that this act is effective upon its passage and approval."

Page No. 838, 848, **878**, 1038, 1043, 1046, 1047.

- 596 Introduced by Turman, Driscoll: A bill for an act entitled: "An act to impose a tax on certain emissions of sulfur oxides."

Page No. 139, 523, 604, 605.

- 597 Introduced by Baucus, Ulmer, Kimble, Regan: A bill for an act entitled: "An act appropriating one hundred twenty thousand dollars (\$120,000) from the general fund to the Office of Ombudsman for the biennium ending June 30, 1975; and providing for other matters relating to the appropriation."

Page No. 259, **281**, 982.

- 598 Introduced by Brand, Cox, Glennen, Staigmillar: A bill for an act entitled: "An act allowing policemen and highway patrolmen to secure social security coverage, amending Sections 59-1102.1 and 59-1108, R.C.M. 1947."

Page No. 241, 258, 275, 285, **303**, 798, 860, 868, 885, 933.

- 599 Introduced by Ulmer, Lucas: A bill for an act entitled: "An act permitting state agencies to contract with rehabilitation oriented agencies without competitive bidding."

Page No. 241, 271, 289, 321, **333**, 798, 858, 860, 868, 885, 933.

- 600 Introduced by Fasbender, Marbut, Lund, Bardanouve: A bill for an act entitled: "An act for revision of the laws relating to the Department of Natural Resources."

Page No. 225, 329, 358, 362, **390**, 797, 823, **856**, 1038, 1043, 1046, 1047.

- 601 Introduced by Hall: A bill for an act entitled: "An act to transfer certain functions of the Board of Livestock and Department of Livestock, to the Department of Health and Environmental Sciences, and repealing Sections 82A-1302 and 82A-1304, R.C.M. 1947."

Page No. 13, 69, **84**.

- 604 Introduced by Prevost, Galt, Schepens, Lien, Olson, Holtz, Turman, Glennen, Manuel, Roberts, Kvaalen, Baucus, Fasbender, Murphy, Nichols, Huennekens, Staigmilller, Edland, Ainsworth, Smith, Marbut: A bill for an act entitled: "An act providing for a landowner preference system concerning antelope hunting licenses."

Page No. 62, 69, 955.

- 607 Introduced by Quilici, Lee, Lynch, McKittrick: A bill for an act entitled: "An act amending Section 40-4008, R.C.M. 1947, providing that the time allowed for filing of claims under disability insurance policies be extended from twenty (20) days to six (6) months."

Page No. 501, 507, 543, 566, 606, 837, 885, 886, 896, 915, 955.

- 610 Introduced by Turman, McKittrick: A bill for an act entitled: "An act amending Section 11-1704, R.C.M. 1947; providing that municipal judges' salaries be set by city ordinance."

Page No. 79, 93, 115, 308, 317, 329, 344, 732, 752, 758, 867, 933.

- 612 Introduced by R. Harper, Hall, Hager, Turman, Lee, Baucus, McKittrick, Murphy, Quilici, Regan, Stoltz, Fleming, Greely, Menahan, Lombardi, Lynch, Healy, Bennetts, Edland, Brand, Fasbender, Bardanouve, Swanberg, Towe, Hall, Warfield, Holmes, Gunderson, Kosena, Johnston, Jacobsen, Manuel, Colberg, Hodges, Kimble, Bradley, Roberts, Driscoll, Mehrens, Brown, Staigmilller: A bill for an act entitled: "An act providing for small claims courts, providing for the procedures therefor and the limits of jurisdiction thereof, providing for the appointment of officers and judges thereof and for the salaries and duties thereof."

Page No. 97, 135, 151, 168, 196, 709.

- 613 Introduced by Committee on Local Government: A bill for an act entitled: "An act to create a law enforcement fund within the county budget system and to provide a revenue source for the fund."

Page No. 760.

- 615 Introduced by Barrett, Asbjornson, Lynch, Marks, Gunderson, Yardley, Hubing, East, Aageson, Kvaalen, Cox, Lucas, Ulmer, Forsgren, Warfield, Cotton, Zimmer, Hageman, Johnston, Kosena, Olson, Murphy, Tierney: A bill for an act entitled: "An act exempting certain general fund budget expenditures in excess of the general fund budgetary increase limitations of Section 75-6923, R.C.M. 1947, subject to approval of the Superintendent of Public Instruction."

Page No. 482, 507, 543, 572, 576, 606, 865.

- 616 Introduced by Kimble, R. Harper: A bill for an act entitled: "An act to regulate consumer reporting agencies operating in Montana."

Page No. 169, 193, 980.

- 617 Introduced by Lund, Fasbender: A bill for an act entitled: "An act for the revision of the laws relating to the Department of Agriculture."

Page No. 321, 357, 364, 411, 466, 472, 517, 776, 979, 980, 991, 1021.

- 618 Introduced by Watt: A bill for an act entitled: "An act amending Section 84-4905, R.C.M. 1947, to change the adjusted gross income exemption of federal retirement income from thirty-six hundred dollars (\$3,600) to eighteen hundred dollars (\$1,800), to establish a minimum age for the exemption, and providing an effective date."

Page No. 296, 311.

- 620 Introduced by Bardanoue: A bill for an act entitled: "An act providing that special education moneys may be expended only for special education programs; providing accountability for such moneys; and providing that unexpended moneys may carry over from year to year."

Page No. 531, 590, 609, 619, **620**, 634, 642, 646, **654**, 913, 958.

- 621 Introduced by Brand: A bill for an act entitled: "An act amending Section 66-3208, R.C.M. 1947; classifying the level of experience required for licensing as a psychologist; and providing that certain persons employed as psychologists by the state on the effective date of this act may be licensed as psychologists."

Page No. 347, **353**.

- 622 Introduced by Burnett, Kolstad: A bill for an act entitled: "An act to amend Section 26-1001, R.C.M. 1947, to provide that all fines and bonds collected under the provisions of Title 26, R.C.M. 1947, shall be deposited in the general fund of the county in which the offense is committed; and providing an effective date."

Page No. 296, **311**.

- 623 Introduced by Galt, Hager, Hageman, Walborn, Burnett, Lien, Schepens, Laas, Hubing, Kolstad, Marks, Prevost, Asbjornson: A bill for an act entitled: "An act to amend Section 26-104, R.C.M. 1947, eliminating the condemnation power of the Montana Fish and Game Department."

Page No. 23, 169, 200, **204**.

- 624 Introduced by Shelden: A bill for an act entitled: "An act amending Section 11-3819, R.C.M. 1947; providing that members of city or city-county planning boards may be reimbursed for transportation expenses incurred in attending planning board meetings."

Page No. 48, 67, 75, 78, **107**, 838, 848, **878**, 979, 980, 991.

- 625 Introduced by Lee: A bill for an act entitled: "An act relating to motion picture theater employees and obscene motion pictures."

Page No. 94, 135, 138, 139, **164**, 689, 715, 716, 724, 743, 793.

- 626 Introduced by Murphy: A bill for an act entitled: "An act to amend Section 8-101, R.C.M. 1947, to provide regulation by the Public Service Commission of carriers other than carriers 'for hire'."

Page No. 272, **285**, 760.

- 627 Introduced by Kvaalen, Schepens, Prevost, Olson: A bill for an act entitled: "An act appropriating money to the Department of Fish and Game for participation on, and contribution to, the South Sandstone Waterspreading and Recreation Project in Fallon County, Montana; and prohibiting expenditure of such money until all funds necessary for completion of project are available and committed."

Page No. 387, 908, **951**, 1030, 1034, 1040, 1041, 1049, 1050, 1052, 1053.

- 628 Introduced by Bradley, Fasbender, Towe, Swanberg, Cox, Turman, Marbut, Staigmiller, Hall, Bennetts, Huennekens, Colberg, Watt, Brown, Tierney, Driscoll, Nichols, Baucus, Ainsworth, Gerke: A bill for an act entitled: "An act to acknowledge the existence of natural and potentially natural areas in the state and to provide for the protection of these areas."

Page No. 144, 168, 195, 200, **221**, 894, 1006, 1043, 1046, 1047, 1051.

- 629 Introduced by Stephens, Gunderson, Lien, Manuel, Edland: A bill for an act entitled: "An act requiring public utilities to maintain their facilities on certain farm lands."

Page No. 241, 271, 290, 295, **317**, 628.

- 630 Introduced by Watt: A bill for an act entitled: "An act amending Section 84-4905, R.C.M. 1947, to repeal the exemption from adjusted gross income for benefits received under the Federal Employees Retirement Act."

Page No. 296, **311**.

- 631 Introduced by House Rules Committee: A bill for an act entitled: "An act amending Section 43-1002, R.C.M. 1947, authorizing additional time for preparation of fiscal notes."

Page No. 4, 79, 93, 130, 135, **153**, 224, 240, 258, 295, 351, 631.

- 632 Introduced by Lockrem, Mercer, McKittrick, Aageson: A bill for an act entitled: "An act to provide for economic impact statements for certain proposed legislation and other state actions; and providing an effective date."

Page No. 4, 10, 236, 259, 262, 267, 271, 293, 302, 341, 359, **373**, 635, 901.

- 633 Introduced by Towe: A bill for an act entitled: "An act requiring each county commissioner to be elected from a separate district, and amending Section 16-902, R.C.M. 1947."

Page No. 4, 11.

- 634 Introduced by Halvorson, Roberts: A bill for an act entitled: "An act defining the rights and duties of motorists, livestock owners, and the Department of Highways where a state highway crosses open range; and directing the department to classify such areas according to the degree of traffic hazard created by livestock and to fence out livestock in the more hazardous areas; and amending Sections 32-2426 and 32-2427, R.C.M. 1947."

Page No. 4, 10, 622, 642, 646, 648, **661**, 894, 913, **928**, 1025, 1026, 1027, 1046, 1047.

- 635 Introduced by Roberts: A bill for an act entitled: "An act requiring the underground installation of electric power distribution lines in new service areas."

Page No. 5, 10, 347, 378, 403, 411, **445**, 745, 765, **785**, 859, 860, 868, 885, 933.

- 636 Introduced by Schye: A bill for an act entitled: "An act limiting the number of bills which a legislator may introduce."

Page No. 5, 296, 309, 332, 343.

- 637 Introduced by Towe: A bill for an act entitled: "An act to define the rights of a father with respect to his illegitimate child, and to clarify the status of certain adoption proceedings involving illegitimate children, and amending Sections 61-108 and 61-205, R.C.M. 1947, and providing an effective date."

Page No. 5, 11, 133, 139, 163, 175, 181, **205**, 669.

- 638 Introduced by Haines: A bill for an act entitled: "An act to repeal Section 84-4902.1, R.C.M. 1947, relating to the ten percent (10%) surtax on income."

Page No. 5, 10, 462, 463, 464, 465.

- 639 Introduced by Haines: A bill for an act entitled: "An act to amend Section 84-4908, R.C.M. 1947, to provide for a standard deduction of fifteen percent (15%) in computing net income."

Page No. 5, 10, 462, 463, 464, 465, 955.

- 640 Introduced by Halverson: A bill for an act entitled: "An act amending Section 69-4905, R.C.M. 1947, to protect drinking water supplies from pollution by livestock."

Page No. 5, 10, 268, 281, 913.

- 641 Introduced by Fasbender: A bill for an act entitled: "An act requiring every statute to begin with an enacting clause and prescribing the form of that clause; and providing an effective date."

Page No. 5, 42, 47, 66, 68, 91, 224, 240, 258, 295.

- 642 Introduced by Murphy: A bill for an act entitled: "An act to provide a procedure for recall of state officers and legislators."

Page No. 5, 347, 355, 957.

- 643 Introduced by Brown, Zimmer, Jones: A bill for an act entitled: "An act amending Section 94-5-304, R.C.M. 1947, to require the death penalty regardless of mitigating circumstances for the crime of aggravated kidnapping when the victim dies or is killed; and providing an effective date."

Page No. 5, 76, 78, 107, 109, 131, 745, 787, 795, 867, 933.

- 644 Introduced by Greely: A bill for an act entitled: "An act amending Section 11-3214, R.C.M. 1947, permitting city commissioners to hold other public office and employment."

Page No. 5, 96, 431, 439.

- 645 Introduced by Bell: A bill for an act entitled: "An act prohibiting the discharge of a firearm across a county highway; and amending Section 32-21-113, R.C.M. 1947."

Page No. 5, 79, 93, 130, 135, 153, 386, 404, 449, 499, 508, 532, 628.

- 646 Introduced by Murphy: A bill for an act entitled: "An act providing for a moratorium on sapphire mining until the Department of Revenue completes a comprehensive study of the taxation of sapphire mines."

Page No. 5, 347, 353.

- 647 Introduced by Towe: A bill for an act entitled: "An act amending Sections 70-707 and 93-4215, R.C.M. 1947, to authorize the Consumer Counsel to apply for, and the courts to grant, restraining orders."

Page No. 5, 11, 91, 96, 107.

- 648 Introduced by Hager: A bill for an act entitled: "An act amending Sections 82A-303, 82A-1303, and 82A-1304, R.C.M. 1947; repealing Section

82A-1302, R.C.M. 1947; and transferring all functions of the Department of Livestock except those pertaining to beef cattle to the Department of Agriculture."

Page No. 5, 366, 381, 955.

- 649 Introduced by Fasbender: A bill for an act entitled: "An act for the codification and general revision of the laws relating to the Department of Professional and Occupational Licensing."

Page No. 6, 272, 279, 290, 295, 318, 894, 928, 1043, 1046, 1047.

- 650 Introduced by Brand: A bill for an act entitled: "An act providing for civilian driver's license examiners and changing driver's license fees; and amending Sections 31-117 and 31-135, R.C.M. 1947."

Page No. 6.

- 651 Introduced by Halvorson: A bill for an act entitled: "An act imposing an additional tax on the capital gain realized in the speculative sale of land; and prescribing penalties for the evasion of such tax."

Page No. 6, 10, 717, 722, 765, 779, 794.

- 652 Introduced by Brand: A bill for an act entitled: "An act transferring the Lewis and Clark Caverns State Park to the Department of Highways."

Page No. 6.

- 653 Introduced by R. Harper: A bill for an act entitled: "An act requiring a bank to print a picture of the depositor on a personal check."

Page No. 6, 91, 95.

- 654 Introduced by Lynch, Lee, Quilici: A bill for an act entitled: "An act extending the antidiscrimination statutes to prohibit discrimination against the physically handicapped; amending Sections 64-301 and 64-302, R.C.M. 1947, and providing a penalty and a civil remedy."

Page No. 6, 10, 94, 135, 151, 158, 177, 506, 517, 531, 565, 588, 678, 680, 681, 686, 698, 741, 743, 767, 793.

- 655 Introduced by R. Harper, McKittrick, Towe: A bill for an act entitled: "An act requiring the disclosure of mileage during transfer of a motor vehicle, prohibiting tampering with motor vehicle odometers, and providing a penalty."

Page No. 6, 92, 96.

- 656 Introduced by Haines: A bill for an act entitled: "An act to amend Section 84-4910, R.C.M. 1947, to provide for a personal exemption of seven hundred fifty dollars (\$750) in computing taxable income."

Page No. 6, 10, 462, 463, 464, 465.

- 657 Introduced by Greely: A bill for an act entitled: "An act providing for alternate methods of financing city-county boards of health in first and second class counties; amending Section 69-4508, R.C.M. 1947; and providing an effective date."

Page No. 6, 384, 436, 456, 472, 518, 820, 844, 912, 947, 1025, 1026, 1027, 1046, 1047.

- 658 Introduced by Roberts: A bill for an act entitled: "An act amending Section

43-507, R.C.M. 1947, to establish the effective date of a statute as the first day of the following January unless the statute specifies another date."

Page No. 6, 10, 76, 84.

- 659 Introduced by Bell: A bill for an act entitled: "An act to amend Section 19-107, R.C.M. 1947, changing the official date of the Veterans' Day Holiday."

Page No. 6, 533, 569.

- 660 Introduced by Halvorson: A bill for an act entitled: "An act directing the Montana Arts Council to commission a statue of Jeannette Rankin for placement in the rotunda of the State Capitol."

Page No. 6, 10, 268, 271, 290, 300.

- 661 Introduced by Fasbender: A bill for an act entitled: "An act amending Section 27-407, R.C.M. 1947, to apply the rulemaking procedures of the Administrative Procedure Act to proceedings for fixing minimum prices by the Board of Milk Control."

Page No. 6, 159, 168, 175, 181, 206, 759, 779, 802, 859, 860, 868, 885, 933.

- 662 Introduced by Greely: A bill for an act entitled: "An act revising the sanctions for operating a school bus in violation of the Transportation Law or policies of the Board of Public Education, and amending Section 75-7006, R.C.M. 1947."

Page No. 6, 48, 67, 75, 78, 108, 602, 692, 701, 741, 743, 767, 793.

- 663 Introduced by Ulmer: A bill for an act entitled: "An act amending Section 4-333, R.C.M. 1947, to license the sale of wine in certain establishments licensed to sell beer."

Page No. 7, 208, 210, 239, 271, 277, 507, 608, 609, 620, 652, 697.

- 664 Introduced by Bardanoue: A bill for an act entitled: "An act requiring the State Board of Investments to manage assets of the police pension reserve funds in the pooled investment fund; requiring actuarial valuations of police pension funds for the Municipal Audit Division of the Department of Intergovernmental Relations; funding such valuations; and amending Sections 11-1829, and 11-1835, R.C.M. 1947."

Page No. 7, 110, 139, 164, 175, 200, 221, 745, 766, 773, 867, 933, 1045.

- 665 Introduced by Bardanoue: A bill for an act entitled: "An act requiring the State Board of Investments to manage funds of the Fire Department Relief Associations in the pooled investment fund; requiring actuarial valuations of such associations for the Municipal Audit Division of the Department of Intergovernmental Relations; funding such valuations; and amending Sections 11-1914 and 11-1920, R.C.M. 1947."

Page No. 7, 110, 135, 151, 164, 176, 195, 476, 522, 543, 566, 606, 894, 913, 916, 948, 1007, 1008, 1021, 1023, 1031, 1050, 1053.

- 666 Introduced by R. Harper, McKittrick, Towe: A bill for an act entitled: "An act establishing a Victims of Crime Compensation Board, providing for the procedures therefor and the limits of jurisdiction thereof, providing for appointment of officers and board members thereof and the salaries and duties thereof, providing for establishment of a trust fund and providing for additional criminal fines; and amending Section 95-2228, R.C.M. 1947."

Page No. 7, 10, 94, 112.

- 667 Introduced by Watt: A bill for an act entitled: "An act amending Sections 31-221, 68-1303, 68-1420, 75-6215, 84-4905, and 93-1126, R.C.M. 1947, by placing a limitation of three thousand six hundred dollars (\$3,600) on the amount of Federal Employees Retirement Act income, and a limitation of seven thousand two hundred dollars (\$7,200) on the amount of state, school or local government systems retirement income which may be exempt from state income tax; providing an age limitation; and providing an effective date."

Page No. 7, 296, 311.

- 668 Introduced by Kvaalen: A bill for an act entitled: "An act to appropriate moneys for public education and school transportation for the fiscal year ending June 30, 1975."

Page No. 7, 11, 706, 728.

- 669 Introduced by Murphy: A bill for an act entitled: "An act amending Sections 82A-302, 3-118, and 3-120, R.C.M. 1947, to reestablish the Agricultural Marketing Coordinator within the Office of the Governor; and providing an effective date."

Page No. 7, 11, 955.

- 670 Introduced by Gerke: A bill for an act entitled: "An act exempting legislative employees from the provisions of Section 59-904, R.C.M. 1947; and providing an effective date."

Page No. 4, 7, 80, 93, 130, 139, 151, 165, 842, 873, 895, 896, 902, 910, 924, 926, 933, 937, 947, 956, 959, 1044, 1046, 1047, 1053.

- 671 Introduced by Menahan, Flynn: A bill for an act entitled: "An act to amend Sections 68-1503, 68-1607, 68-1904, 68-2202 through 68-2305, 82A-210, R.C.M. 1947, to update Public Employees' Retirement System."

Page No. 7, 13, 167, 200, 220, 225, 264, 745, 765, 785, 885, 886, 896, 915, 955.

- 672 Introduced by R. Harper, Driscoll, Towe: A bill for an act entitled: "An act establishing the rights and obligations of landlords and tenants in security deposits."

Page No. 7, 97, 135, 181, 206, 894, 944, 962, 980, 1021.

- 673 Introduced by Yardley: A bill for an act entitled: "An act amending Section 75-6923, R.C.M. 1947, to increase by three percent (3%) the amount by which a school district general fund budget may exceed the same budget for the preceding year."

Page No. 7.

- 674 Introduced by Gerke: A bill for an act entitled: "An act authorizing the Attorney General to prosecute public offenses disclosed by audits of the Legislative Auditor; and to provide an effective date."

Page No. 4, 7, 42, 47, 66, 93, 131, 199, 200, 201, 211, 225, 257.

- 675 Introduced by R. Harper, McKittrick: A bill for an act entitled: "An act requiring consumer education courses to be offered in the high schools."

Page No. 8, 10.

- 676 Introduced by Towe: A bill for an act entitled: "An act requiring consolidated

metering of the purchases of electricity and gas by the state and by local subdivisions; and authorizing the appropriate negotiating body to seek a favorable rate classification to reflect such consolidation."

Page No. 8, 11, 293, 295, 309, 332, 955.

- 677 Introduced by R. Harper, McKittrick, Towe: A bill for an act entitled: "An act amending Section 87A-2-316, R.C.M. 1947, to limit the exclusion or modification of warranties in consumer sales."

Page No. 8, 11, 208, 225, 263, 271, 290, 710.

- 678 Introduced by Cox: A bill for an act entitled: "An act amending Section 69-2701, R.C.M. 1947, to prohibit the sale or use of fireworks except in supervised public displays sponsored by municipalities, fair associations, amusement parks, and other approved organizations or persons."

Page No. 8, 11, 268, 293, 302, 329, 344, 669, 741, 742, 743, 767, 793.

- 679 Introduced by Yardley: A bill for an act entitled: "An act amending Section 4-403, R.C.M. 1947, to establish a policy against discrimination in clubs holding liquor licenses."

Page No. 8, 209, 217.

- 680 Introduced by R. Harper: A bill for an act entitled: "An act placing community antenna television systems under the regulatory jurisdiction of the Public Service Commission; requiring such systems to carry public access channels subject to regulations of the Federal Communications Commission; and providing an effective date."

Page No. 8, 62, 69.

- 681 Introduced by Gerke: A bill for an act entitled: "An act amending Sections 16-4505, 16-4506, 16-4507, 16-4508, and 16-4520, R.C.M. 1947, to extend the voting franchise to all owners, lessees and residents of real property within county water and sewer districts; and providing an effective date."

Page No. 8, 80, 93, 130, 139, 165, 797, 823, 856, 1004, 1005, 1014, 1020.

- 682 Introduced by Greely: A bill for an act entitled: "An act to amend Section 54-132, R.C.M. 1947, relating to the criminal sale of dangerous drugs."

Page No. 8, 170, 200, 220, 225, 264, 894, 913, 928, 1004, 1005, 1014, 1020.

- 683 Introduced by Greely, Kosena, Haines: A bill for an act entitled: "An act regulating campaign finances and practices in all campaigns relating to elections for public office or elections where issues are placed before the voters; limiting campaign expenditures; creating the position of Commissioner of Campaign Finances and Practices to be attached to the Office of the Secretary of State for administration; requiring campaign financial records and reports; providing civil and criminal penalties; and repealing Sections 23-4715 through 23-4717, 23-4719 through 23-4721, 23-4727 through 23-4738, 23-4742 through 23-4745, 23-4748, 23-4750, and 23-4755 through 23-4757, R.C.M. 1947."

Page No. 8, 524, 620, 643, 648, 661.

- 684 Introduced by R. Harper: A bill for an act entitled: "An act providing for the payment of a professional agent to aid the insured in motor vehicle insurance claims, and amending Section 53-438, R.C.M. 1947."

Page No. 8, 209, 217.

- 685 Introduced by R. Harper: A bill for an act entitled: "An act prohibiting negative option plans."

Page No. 8, 11, 256, 261.

- 686 Introduced by Towe: A bill for an act entitled: "An act confirming the status of halfway houses and district youth guidance homes serving eight (8) or fewer persons as single family residences for zoning, health, and safety code purposes, and amending Sections 11-2702.1 and 11-2702.2, R.C.M. 1947."

Page No. 8, 11, 23, 134, 135, 151, 176, 200, 222, 645, 692, 701, 766, 767, 773, 867, 933.

- 687 Introduced by Cox: A bill for an act entitled: "An act to amend Section 19-107, R.C.M. 1947, changing the official date of the Veterans' Day Holiday."

Page No. 8, 11, 62, 68, 91, 93, 131, 387, 397, 398, 412, 436, 514.

- 688 Introduced by Cox: A bill for an act entitled: "An act amending Section 62-305, R.C.M. 1947, to provide free camping for senior citizens of Montana in the state parks."

Page No. 9, 11, 347, 354.

- 689 Introduced by Kvaalen: A bill for an act entitled: "An act repealing the Montana Wheat Research and Marketing Act, Sections 3-2901 through 3-2919, R.C.M. 1947."

Page No. 9, 159, 167, 176.

- 690 Introduced by Watt: A bill for an act entitled: "An act authorizing up-grading crews within the Department of Highways."

Page No. 9, 509, 522, 543, 572, 576, 607, 731.

- 691 Introduced by Edland, Jacobsen, Lien: A bill for an act entitled: "An act amending Section 66-906, R.C.M. 1947, providing for full and immediate reciprocity for dentists who wish to practice their first two (2) years in Montana in dentist-deficient counties."

Page No. 9, 11, 69, 84.

- 692 Introduced by Gerke: A bill for an act entitled: "An act deleting the requirement that proposed public housing projects be approved by popular election, and amending Section 35-109, R.C.M. 1947."

Page No. 9, 135, 140, 164, 181, 206, 894, 1005, 1014, 1026.

- 693 Introduced by Manuel: A bill for an act entitled: "An act to provide for the organization, operation, and supervision of cooperative, nonprofit thrift and credit associations to be known as credit unions and to define their powers; and repealing Sections 14-130 through 14-158, R.C.M. 1947."

Page No. 9, 11, 314, 352, 372, 378, 404, 797.

- 694 Introduced by Gerke: A bill for an act entitled: "An act to amend the Legislative Audit Act, Sections 79-2303 through 79-2312, R.C.M. 1947, renumbering and adding new sections to incorporate provisions of the model Post-auditing Act."

Page No. 4, 9, 15, 80, 109, 138, 158, 177, 797, 823, 838, 839, 865, 892,

893, 913, **914**, 948, 952, 953, 954, 955, 957, **960**, 1012, 1044, 1046, 1047, 1053.

- 695 Introduced by Holmes: A bill for an act entitled: "An act expanding ethnic studies programs for elementary and secondary school teachers, providing for Mexican-American studies, and amending Sections 75-6129, 75-6130, 75-6131, and 75-6132, R.C.M. 1947."

Page No. 9.

- 696 Introduced by Bardanouve: A bill for an act entitled: "An act amending Section 84-1846, R.C.M. 1947, by redefining the word 'import' to include and mean the shipping or transporting into this state of any gasoline from a point or origin without this state, other than in the fuel supply of a motor vehicle, and redefining the word 'distributor' to include any person who imports gasoline for sale, use or distribution, other than a person who purchases such gasoline from a licensed distributor located outside of the state; and providing an effective date."

Page No. 14, 170, 193.

- 697 Introduced by Bardanouve: A bill for an act entitled: "An act amending Section 84-1857, R.C.M. 1947, by placing the requirement for a surety bond on the basis of a yearly average; and providing an effective date."

Page No. 14, 170, 193.

- 698 Introduced by Bardanouve: A bill for an act entitled: "An act revising the rules for the dissemination of proceedings of the legislature and amending Sections 43-901, 43-902, 43-903, and 43-904, R.C.M. 1947."

Page No. 14, 453, 481, 516, 532, 574, 899, 978, 980, 991.

- 699 Introduced by Forsgren, Cox, Aageson, Kolstad, Barrett, Regan: A bill for an act entitled: "An act amending Section 75-6923, R.C.M. 1947, removing the one hundred seven percent (107%) limitation on the amount school trustees may propose in a general fund budget for operation and maintenance of a public school."

Page No. 14, 259, 271, 290, 309, 333, 838, 848, 878, 980, 991, 1048.

- 700 Introduced by Select Committee on Gambling: A bill for an act entitled: "An act to limit, license, regulate and control gambling games and gaming devices; authorizing the Department of Revenue to administer the gambling laws; specifying its powers and duties; providing penalties for violation of the gambling laws."

Page No. 14, 16, 26, 38, 42, 43, 45, 463.

- 701 Introduced by Bardanouve: A bill for an act entitled: "An act appropriating money for the operation of the 43rd Legislature for the calendar year 1974; and providing an effective date."

Page No. 14, 80, 96.

- 702 Introduced by Lockrem: A bill for an act entitled: "An act amending Section 60-145, R.C.M. 1947, to allow sixty (60) days for filing crude oil production and natural gas production statements."

Page No. 14, 159, 168, 176, 181, 206, 745, 766, 767, 773, 867, 933.

- 703 Introduced by Lee: A bill for an act entitled: "An act providing for the licensing of certain card games; defining terms; prescribing the duties and powers of the Department of Revenue with regard to this act."

Page No. 15, 16, 27, 38, 42, 43, 45, 480, 804, 814, 815, 864, 984, 986, 994, 995, 1001, 1012, 1043, 1046, 1047, 1051.

- 704 Introduced by Hall: A bill for an act entitled: "An act appropriating three hundred fifty thousand dollars (\$350,000) for the establishment and operation of a state lottery; providing for repayment of the appropriation to the general fund; and providing an effective date."

Page No. 15, 705, 728.

- 705 Introduced by Ulmer: A bill for an act entitled: "An act making lawful the conducting of games of chance commonly known as bingo and raffles."

Page No. 15, 16, 27, 38, 42, 43, 46, 480, 804, 814, 815, 864, 986, 989, 994, 995, 1001, 1012, 1041, 1046, 1047, 1051.

- 706 Introduced by Brown: A bill for an act entitled: "An act concerning the establishment and operation of a state lottery; providing for its administration by the Department of Revenue; prescribing the functions, powers and duties of the department in respect to the state lottery; and providing for an effective date."

Page No. 15, 16, 27, 38, 43, 46, 47, 50, 53, 640.

- 707 Introduced by Healy, Mehrens, Menahan, Flynn, Brand, Holtz, Staigmillier, Johnston, Lee, Holmes, Lockrem, Hall, Yardley, R. Harper, Quilici, Lynch, Lombardi, Tierney, Gerke: A bill for an act entitled: "An act to amend Section 25-309, R.C.M. 1947, by raising the maximum salary allowed constables in townships having a population of more than twenty thousand (20,000) people to six thousand dollars (\$6,000)."

Page No. 24.

- 708 Introduced by Bradley, Ulmer: A bill for an act entitled: "An act authorizing the amendment of existing beer retailers' licenses to beer-and-wine licenses when the licensee operates a restaurant or grocery."

Page No. 24, 284, 415, 458.

- 709 Introduced by Bradley, Murphy: A bill for an act entitled: "An act amending Section 23-3606, R.C.M. 1947, by providing that electors may vote for persons not on the ballot by writing in their name only and need not place an 'x' next to a written-in name for their vote to be valid."

Page No. 24, 159, 168, 176, 181, 207, 645, 692, 694, 704, 708, 843.

- 710 Introduced by Lynch, Healy, Tierney, Regan, Lee, Quilici, Flynn, Menahan, Lombardi: A bill for an act entitled: "An act requiring standards for access to buildings open to the public by the physically handicapped as a part of the State Building Code."

Page No. 24, 159, 173.

- 711 Introduced by Roberts: A bill for an act entitled: "An act limiting each side to two (2) peremptory challenges when a misdemeanor is tried before a six (6) person jury in district court; and amending Section 95-1909, R.C.M. 1947."

Page No. 24, 84, 109, 130, 139, 165, 690, 699, 714, 752, 753, 758, 867, 933.

- 712 Introduced by Regan, Haines, Greely, Warfield, Driscoll, Olson: A bill for an act entitled: "An act eliminating the quota system for allotting retail liquor licenses, and amending Section 4-403, R.C.M. 1947."

Page No. 24, 407, 436, 464, 473, 494.

- 713 Introduced by Brand, Driscoll, Lee, Kimble: A bill for an act entitled: "An act amending Section 75-8503, R.C.M. 1947, allowing students to use their dormitory rooms for up to one week following final examinations; and to provide an effective date."

Page No. 24, 94, 113.

- 714 Introduced by Galt, Walborn, Schye, Rolfe, Burnett, Hubing, Fleming, Clemow, Manuel, Stephens: A bill for an act entitled: "An act amending Section 26-104.6, R.C.M. 1947, to require county approval for land acquisitions by the Fish and Game Commission."

Page No. 24, 492, 516, 543.

- 715 Introduced by Brand, Prevost, Walborn, Galt, Fagg: A bill for an act entitled: "An act amending Section 46-701, R.C.M. 1947, to require the stock inspectors and detectives hired by the Board of Livestock to pass a qualifying examination; and providing an effective date."

Page No. 24, 69, 77, 91, 93, 132, 331, 343, 361, 378, 398, 412, 514.

- 716 Introduced by Brand, McKittrick: A bill for an act entitled: "An act amending Section 53-438, R.C.M. 1947, to provide that a motor vehicle insurance premium may not be increased during the term of the policy."

Page No. 24, 94, 109, 138, 139, 165, 848, 878, 838, 979, 980, 991.

- 717 Introduced by Bradley, Regan, Holmes, Stoltz, Castles, Bennetts, Halvorson: A bill for an act entitled: "An act amending Section 83-303, R.C.M. 1947, to delete the subsection providing that the residence of the husband is presumptively the residence of the wife."

Page No. 24, 97, 109, 138, 155, 164, 168, 196, 628.

- 718 Introduced by Kendall, Schye, Baeth, Shelden: A bill for an act entitled: "An act requiring a space of at least twenty (20) feet between mobile homes and similar dwellings; and providing a penalty."

Page No. 24.

- 719 Introduced by Greely, Swanberg, H. Harper, Lucas, Roberts: A bill for an act entitled: "An act to implement Article II, Section 8 of the 1972 Constitution by providing guidelines for citizen participation in the operations of government agencies."

Page No. 24, 198, 210, 239, 258, 277, 865.

- 720 Introduced by Greely, H. Harper, Roberts: A bill for an act entitled: "An act to implement Section 9, Article II of the 1972 Montana Constitution to assure that no person shall be deprived of the right to observe the deliberations of all public bodies, except in cases in which the demand of individual privacy clearly exceeds the merits of public disclosure; and repealing Sections 75-6127 and 82-3402, R.C.M. 1947."

Page No. 25, 198, 210, 239, 263, 264, 275, 321, 333, 351, 359, 865.

- 721 Introduced by Greely, H. Harper, Roberts: A bill for an act entitled: "An act to implement Section 9, Article II of the 1972 Montana Constitution to assure that no person shall be deprived of the right to examine documents of all public bodies, except in cases involving individual privacy; and repealing Sections 3-709, 3-1715, 3-1721, 5-705, 5-1012, 7-147, 10-703, 32-1213, 32-1215, 32-3925, 36-203, 40-3660, 40-5511, 40-5515, 41-803, 48-139, 50-1221, 60-144, 61-213, 69-3918, 69-4115, 69-4219,

69-4610, 69-4822, 69-5218, 69-6301, 69-6303, 71-406, 71-506, 71-607, 71-1207, 71-1403, 71-1520, 71-1523, 84-3406, 84-6701, 87-124, 92-809, 92-1348, 94-9824 and 95-2205, R.C.M. 1947."

Page No. 25, 242, 285, 337, 345, 865.

- 722 Introduced by Towe, Huennekens, Bradley, Brand, R. Harper, Hodges: A bill for an act entitled: "An act to require persons engaged in the profession of mortuary science or funeral directing to disclose to persons seeking their services the conditions under which embalming is required, the least expensive methods of providing services and related objects and the individual cost of items in any packaged deal."

Page No. 25, 609, 620, 649, 662, 777.

- 723 Introduced by Barrett, Burnett, Asbjornson, Tierney, Cox, Gunderson, Warfield, Cotton, Marks: A bill for an act entitled: "An act increasing the ceiling on bonded indebtedness for school districts, and amending Section 75-7104, R.C.M. 1947."

Page No. 25, 366, 378, 403, 411, 446.

- 724 Introduced by R. Harper (by request): A bill for an act entitled: "An act limiting the number of nonresident big game hunting licenses to eight thousand (8000) per year and providing for the issuance of such licenses; eliminating the nonresident deer and antelope licenses, and amending Section 26-202.1, R.C.M. 1947."

Page No. 25, 284, 308, 356, 368.

- 725 Introduced by Bardanouve: A bill for an act entitled: "An act amending Section 84-1855 to require dealers selling refundable gasoline to obtain a license from the Department of Revenue prior to selling gasoline on which a refund may be claimed and to delete the present limit on refund applications."

Page No. 25, 43, 80, 93, 130, 135, 153, 530, 692, 701, 741, 743, 767, 793.

- 726 Introduced by Bardanouve: A bill for an act entitled: "An act permitting political subdivisions to seek the advice of the Department of Administration, the Attorney General and the county attorney in preparing and negotiating general obligation bond issues, and prescribing the conditions and circumstances under which political subdivisions may pay attorney's fees and brokerage fees or commissions to anyone assisting in preparation or sale of a bond issue; and amending Sections 16-3101 and 82-411, R.C.M. 1947."

Page No. 25, 253, 271, 290, 295, 318.

- 727 Introduced by Bardanouve: A bill for an act entitled: "An act amending the permit and compensation provisions of the Outdoor Advertising Control Law, amending Sections 32-4720 and 32-4723, R.C.M. 1947, and deleting the provisions regarding relaxation of federal standards, repealing Section 32-4726, R.C.M. 1947."

Page No. 25, 209, 217.

- 728 Introduced by Watt, Cox, Mehrens, Fagg, Stephens: A bill for an act entitled: "An act to save wood for more necessary uses by ending its wasteful use as milk cartons; and requiring that all milk be sold in non-wood product containers which are reusable and/or recyclable."

Page No. 25, 110, 136.

- 729 Introduced by Hall: A bill for an act entitled: "An act appropriating two

million dollars (\$2,000,000) from the general fund to the Department of Revenue for the purpose of administering the gambling laws; and providing an effective date."

Page No. 26, 706, 728.

- 730 Introduced by Haines, Greely: A bill for an act entitled: "An act to provide that mileage signs on highways in Montana specify distance in miles and kilometers; and providing an effective date."

Page No. 26, 272, 285.

- 731 Introduced by Cox, Lucas, Gerke, Haines, Stephens, Lynch, Bell, Kvaalen: A bill for an act entitled: "An act directing the Board of Regents to halve the tuition for resident students who are Vietnam veterans, and amending Section 75-8601, R.C.M. 1947."

Page No. 34.

- 732 Introduced by Lien, Lund, Prevost, Huennekens, Stoltz, Manuel, Laas, Cotton, Hageman, Ageson, Jacobsen, Colberg, Kvaalen, Marks, Hubing, Holtz, East: A bill for an act entitled: "An act to require the reclamation of areas disturbed by drilling or exploration for oil or gas, and amending Sections 60-127 and 60-128, R.C.M. 1947."

Page No. 34, 272, 309, 332, 337, 345, 731, 752, 757, 772, 793, 819, 848, 858, 955, 993, 994, 1002, 1008, 1021, 1023, 1031, 1050, 1051, 1053.

- 733 Introduced by Kvaalen, Cox, Marks, Ulmer: A bill for an act entitled: "An act amending Section 75-6905, R.C.M. 1947, to raise the maximum budget schedules for elementary and high schools."

Page No.-34, 331, 387, 619, 642.

- 734 Introduced by Schye, Walborn, Cotton: A bill for an act entitled: "An act to provide for an election to authorize an additional tax levy of three (3) mills or less for funding public hospital districts."

Page No. 34, 201, 211, 220, 225, 265, 710, 739, 749, 804, 805, 815, 867, 933.

- 735 Introduced by Schye: A bill for an act entitled: "An act directing the Workmen's Compensation Division to set the fees of attorneys and other agents appearing before it and to publish such fees along with amounts of awards every quarter, and amending Section 92-827, R.C.M. 1947."

Page No. 34, 622, 653.

- 736 Introduced by Bardanouve: A bill for an act entitled: "An act to amend Section 81-436, R.C.M. 1947, to provide for the deposit required for bids on state grazing leases."

Page No. 34, 50, 254, 258, 276, 285, 304, 798, 829, 830, 840, 867, 933.

- 737 Introduced by Bardanouve: A bill for an act entitled: "An act to amend Section 81-402, R.C.M. 1947, to empower the State Board of Land Commissioners to approve special crop share rentals for high production cost crops; and providing that this power may not be delegated to the Department of State Lands."

Page No. 34, 50, 254, 258, 276, 285, 304, 798, 829, 830, 840, 867, 933.

- 738 Introduced by Bardanouve: A bill for an act entitled: "An act to provide for the lease terms of state lands for uses other than agriculture, grazing,

timber harvest, or mineral production and to amend Section 81-402, 81-407 and 81-408, R.C.M. 1947, to provide for lease terms on city and town lots."

Page No. 34, 50, 254, 258, 276, 285, **304**, 798, 859, 860, 868, 885, 933.

- 739 Introduced by Bardanouve: A bill for an act entitled: "An act to amend Section 81-915, R.C.M. 1947, to provide for setting of interest rates for the sale of state lands."

Page No. 34, 50, 254, 271, 290, 295, **318**, 798, 858, 860, 868, 885, 955.

- 740 Introduced by Bardanouve: A bill for an act entitled: "An act to amend Section 81-1702.1, R.C.M. 1947, to provide for the payment date of rentals on state oil and gas leases."

Page No. 34, 50, 254, 258, 276, 285, **304**, 798, 860, 868, 885, 915, 933.

- 741 Introduced by Galt, Schye, Kolstad, Fleming, Stephens: A bill for an act entitled: "An act to amend Section 16-1015, R.C.M. 1947, to delete any reference to sales ratio studies for the county general fund levy."

Page No. 34, 43, 533, 550, 572, 576, **607**, 842, 896, 915, 917, 1010.

- 742 Introduced by Greely, Fasbender: A bill for an act entitled: "An act to amend Section 25-102, R.C.M. 1947, to exclude extraditions from those classes of documents for which a five dollar (\$5) fee must be paid to the Secretary of State before a request for extradition can be honored; and providing for an effective date."

Page No. 34, 97, 109, 138, 139, **166**, 759, 788, 795, 867, 933, 948.

- 743 Introduced by Flynn, Tierney: A bill for an act entitled: "An act to amend Sections 53-119 and 53-119.1, R.C.M. 1947, by providing a junk vehicle, as defined in Chapter 410, Montana Session Laws, 1973, Title 69, Chapter 68, R.C.M. 1947, being driven or towed to an auto wrecking graveyard for disposal is exempt from the provisions of these sections; and providing for an effective date of the act."

Page No. 35, 110, 135, 152, 176, 181, **207**, 387, 411, 412, 436, 460, 514.

- 744 Introduced by Flynn, Tierney: A bill for an act entitled: "An act to amend Section 53-903, R.C.M. 1947, to provide for the disposition without notice of a motor vehicle when the value of the vehicle is one hundred dollars (\$100) or less."

Page No. 35, 273, 295, 317, 329, **345**, 531, 652, 653, 677, 680, 729.

- 745 Introduced by Kendall, Cox, Driscoll, Manuel: A bill for an act entitled: "An act to allow the creation of a capital improvement fund for county government."

Page No. 35, 80, 93, 130, 135, **154**.

- 746 Introduced by Bardanouve, Fleming: A bill for an act entitled: "An act to appropriate moneys to various state agencies for the biennium ending June 30, 1975; and providing for other matters relating to the appropriations."

Page No. 26, 888, 915, 924, 925, **931**, 1011, 1017, **1020**, 1044, 1046, 1047, 1053.

- 747 Introduced by Bardanouve, Laas: A bill for an act entitled: "An act to appropriate moneys to various state agencies for the biennium ending June 30, 1975; and providing for other matters relating to the appropriations."

Page No. 26, 943, **951**, 1011, 1021, 1027, 1028, 1038, **1041**, 1049, 1050, 1051, 1052, 1053.

- 748 Introduced by Bardanouve, Kosena: A bill for an act entitled: "An act to appropriate moneys to various state agencies for the biennium ending June 30, 1975; and providing for other matters relating to the appropriations."

Page No. 27, 908, 943, **951**, 1011, 1021, **1022**, 1045, 1046, 1047, 1053.

- 749 Introduced by R. Harper, Gunderson: A bill for an act entitled: "An act regulating certain postsecondary educational institutions, and providing penalties."

Page No. 35, 482, 566, 604, 630, 645, 646, **655**, 894, 913, 929, 1004, 1005, 1014, 1020.

- 750 Introduced by Schepens, Holmes, Laas, Hubing, Kvaalen, Shelden, Cotton, H. Harper: A bill for an act entitled: "An act to prohibit the consumption of alcoholic beverages and the possession of open receptacles containing alcoholic beverages in or on motor vehicles while upon public highways or in areas used for public parking."

Page No. 35, 415, 450, 466, 468, 494, 532, **574**, 690.

- 751 Introduced by Tierney, Swanberg, Greely, Murphy: A bill for an act entitled: "An act establishing the powers of trustees in the State of Montana; and providing an effective date."

Page No. 35, 134, **136**.

- 752 Introduced by Tierney, Swanberg, Aageson, Greely, Watt: A bill for an act entitled: "An act authorizing elementary school district trustees to petition for, and county superintendents to change district boundaries."

Page No. 35, 95, 109, 130, 135, **154**, 507, 576, 590, 620, 679.

- 753 Introduced by Tierney: A bill for an act entitled: "An act amending Section 11-1001, R.C.M. 1947, to provide that owners of real property receiving water or sewer service from a city or town shall be deemed to waive the right to protest annexation by the city or town."

Page No. 35, 159, 182, 204, 205, 220.

- 754 Introduced by Aageson, Glennen, Rolfe, Kolstad, Murphy, Laas: A bill for an act entitled: "An act permitting the operation of motorcycles by the holders of traffic education permits and amending Section 31-129, R.C.M. 1947."

Page No. 35, 110, 135, 152, 158, **178**, 387, 411, 412, 436, 460, 514.

- 755 Introduced by Murphy, Baucus, Edland, McKittrick, R. Harper, Stoltz, Fleming, Gunderson, Manuel, Driscoll, Baeth, Flynn, Lee, Menahan, Greely, Watt, Lucas, Aageson, Laas, Bradley, Lien, Jacobsen, Shelden, Quilici, Ainsworth, Fasbender, Swanberg, Regan, Tierney, Halvorson, Hageman, Kolstad, Schepens: A bill for an act entitled: "An act directing the Department of Agriculture to study saline seep and develop programs to prevent or correct damage done by saline seep."

Page No. 35, 327, 329, 343, 352, **373**, 838, 848, 866, 867, 895, 963, 989, 1008, 1009, 1010, 1021, **1023**, 1031, 1033, 1050, 1051, 1053.

- 756 Introduced by Lucas (by request): A bill for an act entitled: "An act authorizing a county to enact a leash law for dogs."

Page No. 35, 80, 93, 130, 138, 139, **166**, 796.

- 757 Introduced by Cox, Lucas, Greely: A bill for an act entitled: "An act amending Section 93-401, R.C.M. 1947, to provide county commissioners of first, second and third class counties the option of creating a second justice court, and restrict all other counties to one justice court and one justice of the peace."

Page No. 36, 98, 109, 138, 152, 168, **196**, 443.

- 758 Introduced by Watt, Norman, Tierney, Lundgren, Kendall, Quilici, McKittrick, Kimble: A bill for an act entitled: "An act to provide for the sale of discontinued streets and alleys."

Page No. 43, 280, 295, 317, 332.

- 759 Introduced by McKittrick, Lee: A bill for an act entitled: "An act to amend Title 69, Chapter 52, of the Revised Codes of Montana, 1947, by amending Section 69-5201, R.C.M. 1947, by adding the term 'construction' to the definitions; amending Section 69-5212, R.C.M. 1947, to require the filing of an application, and receiving approval from the State Department of Health and Environmental Sciences for the construction of hospitals and hospital related facilities which shall be accomplished in a manner which is orderly, economical and consistent with the development of necessary and adequate facilities for providing for the health care of the people of Montana."

Page No. 43, 379, 397, 427, 436, **468**, 640, 669, 679, 777.

- 760 Introduced by Campbell, H. Harper, Castles, Bell, Bennetts, Marks, Gunderson, Halvorson: A bill for an act entitled: "An act to appropriate additional money for renovating and enlarging the Vo-tech facility located at the Helena Airport for the biennium ending June 30, 1975; and providing for other matters relating to the appropriation."

Page No. 43, 926, 943, **952**, 1014.

- 761 Introduced by Quilici, Lynch, Lee, Mehrens, Lombardi, Healy, R. Harper, Menahan: A bill for an act entitled: "An act designating trucks used in mines rather than on highways as Class Four property, and amending Section 84-301, R.C.M. 1947."

Page No. 43, 64, 254, 271, 290, 295, **318**, 679.

- 762 Introduced by Manuel, Gunderson, Aageson, Hageman, Holtz, Stoltz, Stephens, Johnston, Fleming: A bill for an act entitled: "An act amending Section 7 of Chapter 397, Laws of 1971, as codified in Chapter 17, Title 3, R.C.M. 1947, by repealing the effective date of a law providing for an assessment on fertilizer to produce funds for the Montana Co-operative Extension Service and the Montana Agricultural Experiment Station of Montana State University, Bozeman, for a statewide fertilizer and related soil management program of education."

Page No. 43, 111, 135, 152, 158, **178**, 410, 428, **449**, 473, 481, 541.

- 763 Introduced by Fasbender, Swanberg: A bill for an act entitled: "An act amending Section 43-711, R.C.M. 1947, to authorize the Legal Services Division of the Legislative Council to assign catch lines and section numbers to bills without such information; and providing for an effective date."

Page No. 43, 149, 155, 164, 168, **178**, 443, 467, **499**, 589, 620, 652, 679.

- 764 Introduced by Gunderson, Fasbender: A bill for an act entitled: "An act to create a board which meets federal requirements to administer state plans under federal post-secondary education programs."

Page No. 44, 95, 135, 152, 158, **179**, 797, 823, **856**, 979, 980, 991, 1021.

- 765 Introduced by Schepens, Kosena, Galt: A bill for an act entitled: "An act to amend Section 16-1904, R.C.M. 1947, to eliminate certain provisions prohibiting appropriations in county budget from exceeding certain percentage restrictions of the amount appropriated in the previous year's budget."

Page No. 44, 149, 362, 363, 389, 397, **429**, 894, 980.

- 766 Introduced by R. Harper, Quilici, Lynch, Lee, Clemow, Lombardi, Healy, Kosena, Menahan, Mehrens, Brand, Flynn, McKittrick, Murphy: A bill for an act entitled: "An act granting counties the option to determine if gambling games may be conducted or gaming devices made available for play within the county; providing for elections."

Page No. 44.

- 767 Introduced by Halvorson, Lombardi, Schye, Johnston, Murphy, Watt: A bill for an act entitled: "An act creating an Elections Commission to set limits on political campaign spending; set time limits for campaigns; disburse public funds for the general election; imposing sanctions for campaign abuses; and providing an effective date."

Page No. 44, 570, 589, 632.

- 768 Introduced by Halvorson, Lombardi: A bill for an act entitled: "An act creating an Elections Commission to set limits on political campaign spending; moving the primary election to September, and amending Sections 23-2901, 23-3301, and 23-4727, R.C.M. 1947."

Page No. 44, 283, 416, **459**.

- 769 Introduced by Gerke, Fasbender: A bill for an act entitled: "An act amending Section 84-1502, R.C.M. 1947, to specifically deny a deduction for income taxes paid other states and foreign countries by a corporation doing business in Montana; and providing an effective date."

Page No. 44, 202, 210, 239, 240, **265**, 629, 652, 653, 677, 680, 729.

- 770 Introduced by Gerke, Bardanouve, Cox: A bill for an act entitled: "An act to delete the requirement that interim study reports be submitted to the full standing committees prior to each legislative session by amending 43-716, R.C.M. 1947."

Page No. 44, 294, 295, 317, 329, **345**, 531, 640, 641, 671, 708.

- 771 Introduced by Gerke: A bill for an act entitled: "An act repealing Section 4-171, R.C.M. 1947, relating to the sale of material branded as liquor."

Page No. 44, 149, 155, 164, 168, **197**, 602, 640, 641, 643, 671, 708.

- 772 Introduced by Gerke: A bill for an act entitled: "An act repealing Section 4-133, R.C.M. 1947, relating to club licenses to sell beer."

Page No. 44, 170, 182, 195, 200, **222**, 689, 715, 716, 724, 743, 793.

- 773 Introduced by Gerke: A bill for an act entitled: "An act repealing Section 4-357, R.C.M. 1947, relating to annual reports and accountings under the Montana Beer Act."

Page No. 44, 149, 155, 164, 168, **179**, 689, 715, 716, 724, 743, 793.

- 774 Introduced by Gerke, Kosena, Schepens, Cox, Warfield, Lund, McKittrick, Norman, Turman: A bill for an act entitled: "An act establishing a

temporary Commission on Local Government; providing for an immediate effective date; and providing a termination date."

Page No. 44, 337, 352, 358, 363, **391**, 797, 823, 838, 839, 865, 904, 923, 932, 933, 947, 956, **959**, 1020, 1021, 1025, 1026, 1027, 1047.

- 775 Introduced by Cox, Ulmer, Gerke, Seifert, Ainsworth, Flynn: A bill for an act entitled: "An act to amend Sections 16-507, 16-2404, 16-3601, 16-3607, 16-4010, 25-309, 66-205, 77-211, and 93-7709, R.C.M. 1947, by deleting the township territorial limits on constables; requiring the Board of County Commissioners to set salaries for constables; and providing an effective date."

Page No. 51, 111, 139, 164, 168, **197**, 820.

- 776 Introduced by Cox, Haines: A bill for an act entitled: "An act amending Sections 11-1925, 11-1926, and 11-1927, R.C.M. 1947, to provide that firemen presently on disability or service pension, widows and orphans will have their compensation determined on a cost of living basis."

Page No. 51, 558, 576, 604, 619, 622, 642, 646, 651, **664**.

- 777 Introduced by Forsgren, Greely, H. Harper: A bill for an act entitled: "An act to amend Section 11-3214, R.C.M. 1947, relating to commissioners under commissioner-manager form of municipal government, eliminating qualification of real estate ownership and prohibition against holding other public office or employment."

Page No. 51, 431, 436, 466, 472, **518**, 838, 848, **879**, 1003, 1005, 1014, 1020.

- 778 Introduced by Kimble (by request): A bill for an act entitled: "An act amending Sections 26-302 and 26-303, R.C.M. 1947, changing the requirement for wearing hunter orange while hunting big game."

Page No. 51, 146, 182, 205, 220, 258, **265**, 401, 431, 436, 460, 514.

- 779 Introduced by Kimble (by request): A bill for an act entitled: "An act to amend Section 11-721, R.C.M. 1947, by adding the word 'non-elected' to the provision relating to the removal of officers."

Page No. 51, 160, 182, 205, 225, **265**, 410, 428, **449**, 522, 523, 532, 550, 779.

- 780 Introduced by Quilici, Lockrem, Mehrens, Flynn: A bill for an act entitled: "An act to amend Sections 40-4002, 40-4002.1, 40-4101, and 40-4102, R.C.M. 1947, to provide that disability insurance policies granting accident and sickness coverage to newborn infants shall include routine well baby coverage; to provide that newborn infant coverage is not subject to waiting or elimination periods; to provide that deductibles or reduction of benefits must be the same as for other persons covered by the policy; and providing an effective date."

Page No. 51, 209, 225, 263, 271, **291**, 669, 715, 716, 724, 743, 793.

- 781 Introduced by Fagg, Cox, Kosena, Kendall, Baeth, Hager: A bill for an act entitled: "An act amending Section 11-2209, R.C.M. 1947, to allow bids for special improvements to be opened other than at city council meetings."

Page No. 51, 160, 168, 176, 181, **207**, 731, 752, **764**, 788, 795, 867, 933.

- 782 Introduced by Lynch, Mehrens, McKittrick, Lee, Murphy, Kolstad, Healy, Menahan, Baeth, Lombardi, Kosena, Kimble, R. Harper, Driscoll,

Bennetts, Burnett: A bill for an act entitled: "An act to prohibit the employment of professional strikebreakers in a labor dispute and to limit the right to recruit employees to replace employees involved in a labor dispute."

Page No. 52, 559, 576, 605, 640, **655**.

- 783 Introduced by Quilici, Flynn, Lynch, Lee, Edland, Menahan, Mehrens: A bill for an act entitled: "An act to amend Section 8-812, R.C.M. 1947, to require carriers to acknowledge receipt of claims for losses, investigate claims for losses promptly and dispose of them within a specified time or provide explanation for delay; to pay claims in full notwithstanding any limitation of liability contained in any contract; to authorize imposition of punitive damages where the aggrieved shipper successfully prosecutes his claim in court; and to make intrastate carriers liable to the full extent of losses to property carried by them."

Page No. 52, 509, 589, 633, 642, 646, **655**, 759, 788, 795, 867, 933.

- 784 Introduced by Quilici, Lynch, Lee, Mehrens, Lombardi, Healy: A bill for an act entitled: "An act to amend Section 10-622, R.C.M. 1947, relating to the appointment and removal of probation officers for the juvenile departments of district courts; providing tenure of office; and providing an effective date."

Page No. 52, 342, **354**.

- 785 Introduced by Swanberg, Johnston, Selstad, Kessner: A bill for an act entitled: "An act subrogating the Department of Social and Rehabilitation Services to the right of a child or children or person having the custody of such child or children to prosecute and recover upon support obligations owed by an obligor parent in the amount of public assistance payments made to such child or children or the amount of court ordered support, whichever is less."

Page No. 52, 609, 620, 649, **662**, 968, 994, **997**, 1042, 1046, 1047, 1051.

- 786 Introduced by Swanberg, Cox, Fasbender, Haines, Tierney, Baucus: A bill for an act entitled: "An act amending Section 4-170, R.C.M. 1947, to allow the publication or display of advertisements concerning liquor if permitted by the regulations of the Department of Revenue."

Page No. 52, 432, 436, 466, 472, **518**, 776, 804, 805, 815, 867, 933.

- 787 Introduced by Bradley, Mehrens, Menahan, Tierney, Healy, Huennekens, Lynch: A bill for an act entitled: "An act prohibiting an employer from requiring an employee or prospective employee to take a lie detector test as a condition of obtaining or continuing employment; providing a penalty; and providing an effective date."

Page No. 52, 209, 210, 239, 258, **277**, 507, 517, **549**, 640, 641, 643, 671, 708.

- 788 Introduced by Regan, Gerke, Yardley, Stoltz, Bardanouve, Fasbender: A bill for an act entitled: "An act to repeal Section 84-429.8, R.C.M. 1947, which authorizes an annual tax for the property tax administration fund."

Page No. 52, 274, 285, 302, 309, **334**, 697, 713, **737**, 766, 767, 773, 867, 933.

- 789 Introduced by Tierney: A bill for an act entitled: "An act specifying the powers of trustees; providing an effective date; and repealing Sections 86-312, 86-327, and 86-607, R.C.M. 1947."

Page No. 52, 150, 168, 196, 200, **222**, 690, 699, 704, 724, 746, 775, 776, 799, 823, **827**, 979, 980, 991.

- 790 Introduced by State Administration Committee: A bill for an act entitled: "An act to amend Sections 43-218, 43-310 and 43-311, R.C.M. 1947, to implement the legislative recommendations of the majority report of the Montana Salary Commission by increasing the compensation of elective officials in the legislative branch; and providing for an effective date."

Page No. 52, 347, 362, 372, 377, 477, 532, 572, 576, 636, 902.

- 791 Introduced by Lockrem, Lucas, Tierney, Haines: A bill for an act entitled: "An act to provide for an abatement tax credit to Montana taxpayers for the taxable years beginning after December 31, 1973, and before January 1, 1975."

Page No. 64, 505, 508, 543.

- 792 Introduced by Driscoll, Baucus: A bill for an act entitled: "An act limiting the authority of the Public Service Commission to grant rate increases for the initial consumption blocks of gas and electricity used by domestic consumers; and providing an effective date."

Page No. 64, 315, 329.

- 793 Introduced by Healy, Gerke, Tierney: A bill for an act entitled: "An act to repeal Section 60-225, R.C.M. 1947, relating to petroleum dealer place of business license fees."

Page No. 64, 408, 411, 444, 450, 468, 759, 828, 830, 840, 867, 933.

- 794 Introduced by Kendall, Turman: A bill for an act entitled: "An act to amend Section 11-950, R.C.M. 1947, to increase the authorized fines and penalties for violation of a city ordinance."

Page No. 64, 111, 135, 152, 158, 179, 837, 896, 915, 917, 1010.

- 795 Introduced by Shelden, Turman, Baucus, Colberg, Bradley, Lucas, Brown, Fagg: A bill for an act entitled: "An act amending the Open Space Land Act and providing for conservation easements; amending Sections 62-601, 62-602, 62-603, 62-604, 62-605, 62-608, 67-601, and 67-602, R.C.M. 1947."

Page No. 65, 416, 450, 466, 472, 519, 796.

- 796 Introduced by Schye, Cotton, Holtz, Turner, Kendall: A bill for an act entitled: "An act to remove the minimum limits of coverage required for casualty and liability policies procured by a governmental entity; amending Section 82-4303, R.C.M. 1947; and repealing Section 82-4307."

Page No. 65, 294, 295, 317, 329, 346, 798, 828, 830, 840, 867, 933.

- 797 Introduced by Hall, McKittrick: A bill for an act entitled: "An act for the general revision of the laws relating to abused, neglected and dependent children or youth; and repealing Sections 10-501 through 10-519, R.C.M. 1947."

Page No. 65, 76, 610, 642, 646, 650, 662, 842, 980.

- 798 Introduced by Hall, McKittrick: A bill for an act entitled: "An act for the general revision of the laws relating to juveniles and juvenile courts; providing for other matters relating to treatment and procedures concerning youth; amending Sections 10-615, 10-627, 10-628, 10-631, 10-1101, 10-1102, 10-1103, 10-1104, 10-1105, 10-1106, 10-1107, 10-1108, 10-1109, 10-1110, 10-1111, and 94-2-109, R.C.M. 1947; and repealing Sections 10-601, 10-602, 10-603, 10-604.1, 10-605.1, 10-606, 10-607,

10-608, 10-608.1, 10-610, 10-611, 10-611.1, 10-612, 10-613, 10-614, 10-616, 10-617, 10-621, 10-622, 10-623, 10-624, 10-625, 10-626, 10-629, 10-630, and 10-633."

Page No. 65, 559, 620, 650, **662**, 894, 913, **929**, 1042, 1046, 1047, 1051.

- 799 Introduced by Swanberg: A bill for an act entitled: "An act to amend Section 84-5403, R.C.M. 1947, to provide for the depreciation of machinery and equipment over a ten (10) year period at the rate of ten percent (10%) per year."

Page No. 65, 756, 758, 779, 794, **824**, 1011, 1021.

- 800 Introduced by Gunderson, Yardley, Gerke, Barrett, Warfield: A bill for an act entitled: "An act amending Section 75-6917, R.C.M. 1947, to transfer unexpended public school equalization monies to the permissive levy deficiency fund to reduce the statewide permissive levy deficiency levy; and providing an effective date."

Page No. 65, 135, 140, 164, 168, **197**, 629, 652, 653, 677, 680, 729.

- 801 Introduced by Watt, H. Harper, Schepens, Zimmer, Ulmer: A bill for an act entitled: "An act to amend Section 89-867, R.C.M. 1947, to provide that a use of water for slurry which will be exported from Montana is not a beneficial use."

Page No. 65, 348, 353, 372, 394, **405**, 798, 829, 830, 840, 867, 955.

- 802 Introduced by Norman: A bill for an act entitled: "An act providing the individual claimant or his designated attorney access to his own work and wage earnings records prior to a hearing to facilitate unemployment or workers' compensation claims; amending Section 87-124, R.C.M. 1947."

Page No. 70, 306, 336, 343, 352, **373**, 759, 779, **802**, 859, 860, 868, 885, 933.

- 803 Introduced by Swanberg, Greely: A bill for an act entitled: "An act to amend Section 69-4508, R.C.M. 1947, to authorize county financing of city-county and district boards of health."

Page No. 70, 384, **399**.

- 804 Introduced by Brand, Driscoll, Burnett, Lund: A bill for an act entitled: "An act requiring the inspection of a livestock which dies in the feedlot of a livestock dealer; and providing a penalty."

Page No. 70, 260, 285, 303, 309, **334**, 565, 608, 609, 620, 652, 697, 894.

- 805 Introduced by Kosen: A bill for an act entitled: "An act partially implementing Article XI, Sections 3, 5, 6 and 9 of the 1972 Montana Constitution by providing for local government study commissions to study and make recommendations concerning the structure and powers of units of local government; authorizing a property tax mill levy; providing for an immediate effective date; and providing a termination date."

Page No. 71, 533, 589, 633, 645, 646, **655**, 980, 991, 1021.

- 806 Introduced by Cox, Barrett, Kvaalen, Prevost, Lynch, Menahan, Flynn, Warfield: A bill for an act entitled: "An act to amend Section 75-7511, R.C.M. 1947, to provide for a self-supporting media library program and to establish a media library revolving fund."

Page No. 71, 366, 378, 403, 411, **446**, 837, 885, 896, 915, 955.

- 807 Introduced by Bell, Campbell, H. Harper, Bennetts, Castles: A bill for an

act entitled: "An act authorizing Lewis and Clark County to charge the State of Montana for essential services supplied for the benefit of the State of Montana's Capitol Complex."

Page No. 71, 269, 281.

- 808 Introduced by Manuel: A bill for an act entitled: "An act amending Section 24-138, R.C.M. 1947, to provide that persons moving houses or other structures outside the limits of cities or towns shall pay the cost of removing poles or raising or cutting wires."

Page No. 71, 408, 423.

- 809 Introduced by R. Harper (by request): A bill for an act entitled: "An act excluding members of certain peer review committees and professional standards review committees from liability in certain cases; and providing an effective date."

Page No. 71, 171, 194.

- 810 Introduced by R. Harper: A bill for an act entitled: "An act to amend Section 64-207.1, R.C.M. 1947, providing that malice is presumed in an injurious publication."

Page No. 71, 202, 218.

- 811 Introduced by Brand: A bill for an act entitled: "An act to amend Sections 66-3204 and 66-3206, R.C.M. 1947, pertaining to qualifications for members of the State Board of Psychologist Examiners; and pertaining to the examinations for licensing conducted by the board."

Page No. 71, 348, 354.

- 812 Introduced by Baeth: A bill for an act entitled: "An act to amend Section 92-425, R.C.M. 1947, relating to the definition of husband or widower in the Workmen's Compensation Act."

Page No. 71, 111, 135, 152, 158, 179, 531, 608, 609, 620, 652, 697.

- 813 Introduced by Glennen, Lien, Tierney, Laas: A bill for an act entitled: "An act amending Section 8-102, R.C.M. 1947, as amended by Chapter 172, Laws of 1973, providing that the provisions of said section requiring certain Class C motor carriers to operate under a Class B motor carrier certificate shall not apply to solid waste contractors nor to any carrier whose authority is confined by certificate to transportation within a distance of fifty (50) miles or less from a particular location."

Page No. 71, 296, 329, 343, 352, 373, 697, 713, 737, 766, 767, 773, 867, 933.

- 814 Introduced by Kosena: A bill for an act entitled: "An act to establish county commissioner districts; providing for the election of county commissioners at large; repealing Section 16-902, R.C.M. 1947; and providing an effective date."

Page No. 71, 255, 271, 290, 295, 319, 838, 848, 879, 1025, 1026, 1027, 1046, 1047.

- 815 Introduced by Asbjornson, Kendall, Cox, East: A bill for an act entitled: "An act creating the position of town clerk; abolishing the position of town treasurer; transferring the duties of a town treasurer to the town clerk; and amending Sections 11-703, 11-731, and 11-807, R.C.M. 1947."

Page No. 71, 190, 210, 239, 258, 277, 798, 858, 860, 885, 933.

- 816 Introduced by Lee (by request): A bill for an act entitled: "An act relating to the Electrical Safety Act; amending Section 66-2812, R.C.M. 1947, to clarify the exemptions to coverage of the act of power suppliers, individuals doing electrical work on their own property, signal or communications apparatus, and apprentice electricians; and providing for an effective date."

Page No. 71, 199, 200, 220.

- 817 Introduced by Lee (by request): A bill for an act entitled: "An act to amend Section 82A-1602, R.C.M. 1947, to change the name of the Board of Electricians to the State Electrical Board."

Page No. 72, 255, 258, 276, 285, **305**, 689, 715, 716, 724, 743, 793.

- 818 Introduced by Fasbender, Hall, Ulmer, Lucas, Mercer: A bill for an act entitled: "An act to clarify the election provisions contained in Section 89-2330, R.C.M. 1947; amending Section 89-2330.1, R.C.M. 1947, relating to elections in drainage districts; and providing an effective date."

Page No. 72, 367, 378, 403, 411, **446**, 798, 859, 860, 868, 885, 933.

- 819 Introduced by Walborn, Schye: A bill for an act entitled: "An act to amend Section 75-6806, R.C.M. 1947, to require the publication of proceedings, lists of claims, and financial statements of school districts."

Page No. 72, 310, **330**.

- 820 Introduced by Hodges, Greely, Staigmiller: A bill for an act entitled: "An act increasing income allowed taxpayers to qualify for Class 8 property tax classification; providing for the review of applications for such classification; and amending Section 84-301, R.C.M. 1947."

Page No. 72, 384, 411, 444, 650, **663**.

- 821 Introduced by Edland, Jacobsen, Lien, Lund, Kolstad, Hager: A bill for an act entitled: "An act to amend Sections 3-805 and 3-806.1, R.C.M. 1947, delineating the duties of the Department of Agriculture and the grain and seed laboratory."

Page No. 72, 284, 308.

- 822 Introduced by Driscoll, Flynn: A bill for an act entitled: "An act providing for licensing handicapped persons to operate motor-driven wheelchairs and invalid tricycles; exempting such vehicles from registration; requiring certain safety features; and amending Section 53-104, R.C.M. 1947."

Page No. 72, 199, 210, 239, 258, **278**, 443, 467, 480, 505, 740, 741, 752, 760, 765, 772, 899, 916, 948, 971, **974**, 1042, 1046, 1047, 1051.

- 823 Introduced by Brand, Menahan, Lee, Healy, Lynch: A bill for an act entitled: "An act to amend Section 59-1002, R.C.M. 1947, providing for accumulation of annual vacation leave for public officers and employees."

Page No. 72, 111, 135, 152, 167, 432, 436, 466, 494, 508, **544**, 798, 828, 830, 840, 867, 933.

- 824 Introduced by Brand, Lynch, Lee, Menahan: A bill for an act entitled: "An act creating the Three Forks Game Preserve."

Page No. 72, 356, **369**.

- 825 Introduced by Brand: A bill for an act entitled: "An act to amend Section

82-1918, R.C.M. 1947, raising the limit on the duration of contracts with the state to fifteen (15) years from three (3)."

Page No. 72, 269, 281.

- 826 Introduced by Bardanouve, Fasbender: A bill for an act entitled: "An act providing that community colleges may henceforth be organized only by specific legislative authorization; and repealing Sections 75-8104 through 75-8113, R.C.M. 1947."

Page No. 72, 399, 423.

- 827 Introduced by Towe, Marbut: A bill for an act entitled: "An act amending Sections 71-2001, 71-2003, 71-2004, 71-2005 and 71-2006, R.C.M. 1947, by transferring the administration of homes for the developmentally disabled from the Department of Institutions to the Department of Social Rehabilitation Services."

Page No. 72, 269, 271, 290, 295, 319, 709, 752, 753, 758, 867, 933.

- 828 Introduced by Towe, Marbut: A bill for an act entitled: "An act to amend Section 69-5201, R.C.M. 1947, to define 'long-term care facility' as a place which provides personal care to more than three (3) persons, rather than more than two (2) persons, as now defined."

Page No. 72, 269, 271, 290, 295, 319, 709, 752, 753, 758, 867, 933.

- 829 Introduced by Towe, Swanberg: A bill for an act entitled: "An act providing for the imposition of a Montana income tax which is equal to a percentage of the federal income tax payable on Montana taxable income; amending Sections 84-4903.1, 84-4924, and 84-4939, R.C.M. 1947; repealing 84-4901 through 84-4903, 84-4905 through 84-4910, 84-4912, 84-4914, 84-4915 and 84-4917, R.C.M. 1947; and providing an effective date."

Page No. 72, 687, 705, 751, 765, 779, 804, 815, 848, 871.

- 830 Introduced by Towe, Holmes, Huennekens, Cox, Glennen, Hager, R. Harper: A bill for an act entitled: "An act permitting persons entitled to a Class Eight property tax classification to submit a mailed, unnotarized application for classification to the Department of Revenue."

Page No. 73, 385, 394, 427, 436, 468, 797, 823, 857, 980, 1021.

- 831 Introduced by Towe, R. Harper, Huennekens, Driscoll, Bradley, Murphy: A bill for an act entitled: "An act submitting to the electorate at the November 1974 general election the question of whether or not the Public Service Commission shall use the original cost of utility property as a base for fixing rates."

Page No. 73, 219, 396, 457.

- 832 Introduced by Bardanouve: "A bill for an act entitled: "An act to amend Section 79-1019, R.C.M. 1947, to allow appropriation transfers to be made from any available appropriation without regard for bienniums as justified by unforeseen and unanticipated emergencies."

Page No. 73, 706, 729.

- 833 Introduced by Cotton: A bill for an act entitled: "An act revising the provisions permitting high school district boundary changes, amending Section 75-6525, R.C.M. 1947."

Page No. 73, 191, 202.

- 834 Introduced by Cotton: A bill for an act entitled: "An act revising the proce-

dures for review of petitions to change high school district boundaries, amending Section 75-6526, R.C.M. 1947."

Page No. 73, 216, 235.

- 835 Introduced by Schepens, Huennekens, Prevost, Flynn, Olson: A bill for an act entitled: "An act prescribing priorities among categories of water use for the purpose of determining rights to water; and amending Section 89-891, R.C.M. 1947."

Page No. 73.

- 836 Introduced by Schepens, Huennekens, Flynn, Prevost, Olson: A bill for an act entitled: "An act declaring a policy of maintaining a minimum streamflow in the Yellowstone River and its tributaries sufficient to safeguard existing water uses."

Page No. 73.

- 837 Introduced by Healy, Lombardi, Lynch, Mehrens, Asbjornson, Cox, Kosena: A bill for an act entitled: "An act amending Section 53-107, R.C.M. 1947, removing the requirement that a motor vehicle registration certificate be carried at all times."

Page No. 73.

- 838 Introduced by Cotton, Shelden, Cox, Driscoll, Barrett, Forsgren, Gunderson: A bill for an act entitled: "An act amending Section 75-6105.1, R.C.M. 1947, to provide upon request a statement of reasons and hearing before the trustees on termination of employment of a public school teacher."

Page No. 73, 219, 259, 262, 457.

- 839 Introduced by Cotton, Shelden, Cox, Driscoll, Barrett, Forsgren, Gunderson: A bill for an act entitled: "An act amending Section 75-6122, R.C.M. 1947, to provide that provisions contained in individual teacher contracts shall be consistent with the provisions of the negotiated agreement."

Page No. 73, 285, 293, 303, 309, 334, 798, 829, 830, 840, 867, 933.

- 840 Introduced by Lundgren: A bill for an act entitled: "An act amending Section 4-169, R.C.M. 1947, to remove archaic language no longer applicable regarding liquor in hotels."

Page No. 73, 408, 411, 445, 450, 798, 828, 830, 840, 867, 933.

- 841 Introduced by Lynch, Regan, Flynn, Lee, Clemow, Haines, Kolstad, Murphy, Johnston, Quilici, Lombardi, Healy, Mehrens, Kosena, Menahan, Brand, Tierney, Stephens, Jones, Lundgren, Schye, Marbut, H. Harper, Laas, Greely, Lien, Kimble, Ainsworth, Driscoll, Huennekens, Bardanouve, R. Harper, Towe, Gunderson, Hodges, Colberg, Staigmiller, Brand, Edland, Jacobsen, Burnett, Marks, Hubing, East, Bennetts, Gerke, Holmes, Fleming, Baucus, Kendall, Shelden, Baeth, Stoltz, Manuel: A bill for an act entitled: "An act creating a division of school activities in the Department of Public Instruction to control and supervise all inter-school contests and programs in Montana."

Page No. 73, 76.

- 842 Introduced by McKittrick: A bill for an act entitled: "An act to amend Section 82A-1014, R.C.M. 1947, to clarify the method of appointment to the Board of Personnel Appeals."

Page No. 74, 112, 135, 152, 158, 180, 531, 640, 641, 671, 708.

- 843 Introduced by Kimble (by request): A bill for an act entitled: "An act amend-

ing Section 92-705, R.C.M. 1947, relating to the payment of workmen's compensation burial expenses, by increasing the maximum burial expense payment from five hundred dollars (\$500) to one thousand five hundred dollars (\$1,500)."

Page No. 74, 112, 135, 152, 168, **198**, 710, 739, 742, 757, 778, 792, 824, **827**, 837, 885, 887, 896, 915, 955.

- 844 Introduced by Bradley, Hager, Huennekens, Fleming, Stephens: A bill for an act entitled: "An act directing the preparation of a state master plan for environmental education and programs pursuant to such a plan; and repealing Section 75-7509, R.C.M. 1947."

Page No. 74.

- 845 Introduced by Quilici, Menahan, Flynn: A bill for an act entitled: "An act removing the requirement that a taxidermist record the hunter's license number as specimen of game is mounted; and amending Section 26-907, R.C.M. 1947."

Page No. 74, 171, 182, 196, 200, **222**, 331, 341, 342, 352, 364, 396.

- 846 Introduced by Laas, Bardanouve, Murphy, Bradley, Zimmer: A bill for an act entitled: "An act directing the Attorney General to declare by order a speed limit of fifty-five (55) miles per hour on all public streets and highways in the state except in those areas where a speed limit lower than fifty-five (55) miles per hour is presently applicable."

Page No. 74, 308, 375, 416, 450, 466, 467, 523, **544**, 710, 739, **750**, 758, 759, 771.

- 847 Introduced by Turman, Kendall: A bill for an act entitled: "An act amending Section 11-903, R.C.M. 1947, to provide that a city or town council may license all industries, pursuits, professions, and occupations for regulatory and revenue purposes."

Page No. 74, 337, **350**, 739.

- 848 Introduced by House Judiciary Committee: A bill for an act entitled: "An act to raise the exemption from inheritance tax allowed the surviving spouse from twenty thousand dollars (\$20,000) to twenty-five thousand dollars (\$25,000), by amending Section 91-4414, R.C.M. 1947."

Page No. 74, 202, 210, 239, 258, **278**, 837, 885, 886, 896, 915, 955.

- 849 Introduced by Lucas, Laas, Lien, Cox, Kolstad, Castles, Kendall, Fleming, Ulmer, Johnston, Flynn, Kosenka, Quilici, Schye, Haines, Healy, Prevost, Bell, Selstad, Tierney, Walborn: A bill for an act entitled: "An act limiting the regular legislative session in each odd-numbered year to consideration on third reading of financial bills and special gubernatorial bills, and limiting the duration of such session to thirty (30) days."

Page No. 74, 367, 394, 403, 411, **446**, 464.

- 850 Introduced by Jacobsen, Edland, Aageson, Smith, Hubing, East, Clemow, Gunderson, Staigmiller, Lien: A bill for an act entitled: "An act providing that livestock encroaching on public highways may, after two warnings, subject the owner to a civil penalty, and providing for the exemption of counties or parts of counties from this act."

Page No. 87, 623, 641, 650, **663**, 870.

- 851 Introduced by Jacobsen, Edland: A bill for an act entitled: "An act amending Sections 32-2412 and 32-2427, R.C.M. 1947, to authorize fencing open range along all parts of the state highway system."

Page No. 87.

- 852 Introduced by Jacobsen, Edland: A bill for an act entitled: "An act to amend Section 3-208, R.C.M. 1947, raising the handling and storage charges for grain public warehousemen collect; and deleting provisions relating to cleaning charges and charge reductions."

Page No. 87, 327, 352, 358, 359, 378, **405**, 697, 713, **738**, 766, 773, 867, 955.

- 853 Introduced by Asbjornson, Kosena, Zimmer: A bill for an act entitled: "An act amending Section 66-3102, R.C.M. 1947, to increase the term of office for members of the Board of Nursing Home Administrators from three (3) years to five (5) years."

Page No. 87, 269, 271, 290, 295, **320**, 776, 804, 805, 815, 867, 933.

- 854 Introduced by Johnston, Stephens, Menahan, Barrett: A bill for an act entitled: "An act requiring persons to possess a current big game hunting license while carrying a big game rifle in the field; providing for an exemption for landowners, commission implementation and providing for a penalty for violation of this act."

Page No. 88, 356, **369**.

- 855 Introduced by Clemow, Jones, Murphy: A bill for an act entitled: "An act to amend Section 26-809, R.C.M. 1947, to remove inconsistency with Section 26-811, R.C.M. 1947."

Page No. 88, 356, 362, 372, 378, **405**, 411, 602, 640, 641, 643, 671, 708.

- 856 Introduced by Bennetts, Gerke, Turman, Lynch, Marbut, H. Harper, Fasbender, McKittrick, Stoltz: A bill for an act entitled: "An act to authorize the Governor to designate no more than two (2) additional legal holidays each calendar year; and amending Section 19-107, R.C.M. 1947."

Page No. 88, 294, **299**, 316, 332, 333, 340, 427.

- 857 Introduced by Bennetts, H. Harper, Jacobsen, Fleming, Stoltz, Bell, Castles, Campbell: A bill for an act entitled: "An act providing that public employees called for jury duty may take leave with pay, less the amount of the juror fees received; and amending Section 59-1010, R.C.M. 1947."

Page No. 88, 191, 210, 239, 271, **291**, 759, 805, 815, 867, 933.

- 858 Introduced by Menahan, Kosena: A bill for an act entitled: "An act providing that a fee shall be required for initial inspection prior to licensure of beauty salons and beauty colleges by amending Section 66-801, R.C.M. 1947; and providing an effective date."

Page No. 88, 337, 343, 352, **374**, 689, 715, 716, 724, 743, 793.

- 859 Introduced by Menahan, Kosena: A bill for an act entitled: "An act to amend Section 66-809, R.C.M. 1947, to provide compensation for each day traveling to and from any meeting and to increase compensation while in actual attendance for members of the Board of Cosmetologists."

Page No. 88, 376, 394, 403, 411, **447**, 842, 873, **883**, 944, 962, 980, 1021.

- 860 Introduced by Lucas, Olson, Schepens, Prevost, Cox, Ulmer, Kvaalen, Glennen, Mercer, Hager, Galt, Schye, Hageman: A bill for an act entitled: "An act to amend Section 92-202.1, R.C.M. 1947, exempting sugar beet laborers from coverage under the Workmen's Compensation Act."

Page No. 88, 529, **540**.

- 861 Introduced by Swanberg, Lynch, Mehrens, Lee, McKittrick, Staigmilller, Holtz, Hodges, Fasbender, Quilici, Lombardi, Healy, Hall, Greely, Menahan, Huennekens, Tierney, Gunderson, Towe, Selstad, Kessner: A bill for an act entitled: "An act transferring the county share of welfare payments to the state and requiring counties to assume all administrative costs of county welfare departments, and amending Sections 71-106, 71-222, 71-302.1, 71-309, 71-405, 71-413, 71-508, 71-510, 71-611, 71-612, 71-1206, 71-1210, 71-1519, 71-1522; and repealing Sections 71-311, R.C.M. 1947."

Page No. 88, 356, 362, 372.

- 862 Introduced by Lee, Lombardi, Lynch, Lucas, Tierney, Healy, Flynn, Brand, Clemow, Fagg, Cox: A bill for an act entitled: "An act to provide for the classification of certain improvements to commercial property."

Page No. 88, 284, 337, 456.

- 863 Introduced by R. Harper, Lynch, Quilici, Lee, Lombardi, Healy, Mehrens, Kosena, Menahan: A bill for an act entitled: "An act prescribing the salary and qualifications of a coroner in a first or second class county and establishing the office and salary of deputy coroner in such counties, amending Section 25-236, R.C.M. 1947."

Page No. 88, 256, 261.

- 864 Introduced by Menahan, Quilici, Flynn, Lee, Lynch, Kosena, Healy, Murphy, Lombardi: A bill for an act entitled: "An act to provide minimum pensions for retired firemen, and amending Sections 11-1925, 11-1926, and 11-1927, R.C.M. 1947."

Page No. 88, 590, 620, 650, 663, 894, 961, 980, 991.

- 865 Introduced by Yardley: A bill for an act entitled: "An act authorizing the establishment of scenic river areas by the Board of Natural Resources and Conservation."

Page No. 88, 502, 508, 543.

- 866 Introduced by Yardley: A bill for an act entitled: "An act amending Section 75-5709, R.C.M. 1947, to provide for the introduction of additional evidence in the appeal of controversies to the Superintendent of Public Instruction and clarifying the procedure for review of such controversies by the state courts."

Page No. 88, 367, 394, 403, 436, 444, 466, 523, 545, 894, 979, 980, 991.

- 867 Introduced by McKittrick, Lynch, Quilici, Healy, Lee, Brand, Murphy, Tierney, Lombardi, Johnston, Flynn, Turman, Glennen, Huennekens, Cox: A bill for an act entitled: "An act amending Section 11-1919, R.C.M. 1947, relating to payment of portions of insurance companies' license fees by the State Auditor to fire department relief associations."

Page No. 89, 385, 394, 427, 436, 469, 900, 913, 929, 1002, 1005, 1014, 1020.

- 868 Introduced by Brand, Menahan, Baeth, Staigmilller, Gunderson: A bill for an act entitled: "An act to amend Section 31-147, R.C.M. 1947, to limit to three (3) years any consideration of board to suspend license or driving privilege or issue probationary license."

Page No. 89, 379, 400.

- 869 Introduced by Baeth: A bill for an act entitled: "An act to require the Legis-

lative Services Division of the Legislative Council to compile and print the third reading voting record of members of the legislature within thirty (30) days after final adjournment of each session of the legislature; and providing an effective date."

Page No. 89, 376, 382.

- 870 Introduced by Stephens, Hageman: A bill for an act entitled: "An act providing an injunctive remedy for the Department of Agriculture to enjoin persons merchandising in grain without a license or bond."

Page No. 89, 327, 336, 343, 352, 374, 602, 692, 702, 741, 742, 743, 767, 793.

- 871 Introduced by Turman, Kendall, Shelden: A bill for an act entitled: "An act to provide for and to regulate interim municipal zoning regulations."

Page No. 89, 362, 363, 389, 411, 447, 798, 814, 845, 901.

- 872 Introduced by Driscoll: A bill for an act entitled: "An act to amend Section 32-3911, R.C.M. 1947, to allow sales of interests in real property conducted by the Department of Highways to be conducted in the county wherein the property is located."

Page No. 89, 171, 200, 220, 225, 266, 387, 407, 412, 436, 460, 514.

- 873 Introduced by Driscoll: A bill for an act entitled: "An act to amend Sections 32-2413 and 32-3905, R.C.M. 1947, to eliminate the necessity of filing a plat upon sale of excess property by the State Highway Commission when the excess property is shown on plans previously filed."

Page No. 89.

- 874 Introduced by Gunderson, Hager, Edland, Prevost, Tierney: A bill for an act entitled: "An act amending Sections 82A-301, 82A-304 and 82A-1304 abolishing the Office of Commissioner of Agriculture, creating a Director of the Department of Agriculture, unifying the Department of Livestock and Department of Agriculture and repealing Sections 82A-1301 and 82A-1302, R.C.M. 1947."

Page No. 89, 327, 329, 343.

- 875 Introduced by Huennekens: A bill for an act entitled: "An act declaring the legislature's concern about uncontrolled subdivision development in Montana and about the adverse effects of such development on the health, safety and welfare of the people of Montana; providing for a temporary moratorium on subdivision development until the State of Montana has adopted long-range goals concerning land use and economic and population growth and completed a statewide land and water resources inventory with the identification of environmentally critical areas and until legislation for the protection of such areas has been enacted by the Montana Legislature, and providing an effective date."

Page No. 89, 579, 641, 650, 663, 865.

- 876 Introduced by Fagg: A bill for an act entitled: "An act allowing golf carts on public roadways in certain cases."

Page No. 89, 296, 309, 332.

- 877 Introduced by Marbut, Fasbender: A bill for an act entitled: "An act to amend Section 69-3911, R.C.M. 1947, by providing a method for obtaining permits from the State Board of Health for the construction, installation, alteration or use of equipment which contributes to air pollution or which contributes to the abatement of air pollution."

Page No. 89, 379, 397, 427, 450, 469, 870.

- 878 Introduced by Aageson, Kolstad, Clemow, Murphy, Stephens, Lucas, Swanberg, Jones, Cotton: A bill for an act entitled: "An act amending Section 41-1121, R.C.M. 1947, providing for the establishment of ten (10) hour work days for the employees of regular county road and bridge departments."

Page No. 90, 337, 350.

- 879 Introduced by Kendall, Kosena, Asbjornson, Ellerd, Lien, Schye: A bill for an act entitled: "An act amending Section 94-5-105, R.C.M. 1947, to provide for a mandatory death sentence when the defendant is convicted of deliberate homicide for the killing of a peace officer performing his duty, regardless of mitigating circumstances."

Page No. 90, 171, 196, 200, 223, 759, 780, 823, 838, 839, 870, 911, 926, 956, 959, 1026, 1027, 1046, 1047.

- 880 Introduced by Kvaalen, Prevost, Schepens: A bill for an act entitled: "An act amending Section 7-113, R.C.M. 1947, to permit state chartered building and loan associations to charge five dollars (\$5) as late payment penalty on any payment more than fifteen (15) days late; to charge interest on the late payment at a rate not to exceed eighteen percent (18%); and to deduct these late payment charges from any payment."

Page No. 90, 315, 329, 343, 358, 363, 391, 776.

- 881 Introduced by Turman, Fasbender: A bill for an act entitled: "An act providing for disclosure to the Division of Workmen's Compensation of attorney fee arrangements, and fixing attorney fees in workmen's compensation cases."

Page No. 90.

- 882 Introduced by Shelden, Baeth, Turman: A bill for an act entitled: "An act to amend the Montana Environmental Policy Act by requiring each state agency to adopt rules imposing a fee to be paid by an applicant for a lease, permit, license or certificate when an agency is required to compile an environmental impact statement."

Page No. 90, 417, 436, 445, 466, 532, 574, 603.

- 883 Introduced by Towe, Burnett, Turman: A bill for an act entitled: "An act to amend Section 16-1023, R.C.M. 1947, to provide a summary publication of county claims in the monthly proceedings."

Page No. 90, 191, 210, 239, 258, 278, 710.

- 884 Introduced by Bradley, Kosena: A bill for an act entitled: "An act to amend Section 10-802.1, R.C.M. 1947, including counties as government units which may levy up to one (1) mill on taxable property for the support of day care centers."

Page No. 98, 353, 363, 389, 394, 429, 710.

- 885 Introduced by Yardley: A bill for an act entitled: "An act correcting numbering errors by amending Section 75-6509, R.C.M. 1947."

Page No. 98, 398, 445, 450, 470, 798, 829, 830, 840, 867, 933.

- 886 Introduced by Edland, Jacobsen, Holtz, Kolstad, R. Harper, Lund, Prevost, Johnston, Aageson, Murphy: A bill for an act entitled: "An act changing the property tax classification and liability of harvesting machinery owned by custom combine operators, and amending Sections 84-301 and 84-6008, R.C.M. 1947."

Page No. 98, 296, 336, 343, 352, 374, 894, 979, 980, 991.

- 887 Introduced by Lucas, Johnston, Lee, Mercer, Fasbender, McKittrick, Lockrem: A bill for an act entitled: "An act relating to obtaining communication services with intent to defraud; and repealing Section 94-1824."

Page No. 98, 537, 620, 576, 605, **656**, 752, 798, 860, 868, 885, 933.

- 888 Introduced by Swanberg: A bill for an act entitled: "An act relating to the rate of interest that may be agreed to be paid by profit corporations and businesses operating for profit."

Page No. 98, 408, 436, 445, 450, **470**, 759, 780, 794, 815, 820, 898, 926, 941, 964.

- 889 Introduced by Swanberg: A bill for an act entitled: "An act amending Section 71-308, R.C.M. 1947, to clarify residency requirements for county financial participation in assistance to residents, non-residents, transients, incompetents, and aliens, to recodify county medical responsibilities, and to pay medical expenses for accidental injury to interstate transients from state funds; and repealing Sections 71-114, 71-116, 71-117, 71-302.1, and 71-304, R.C.M. 1947."

Page No. 98, 615, 620, 650, **664**, 894, 980, 1021.

- 890 Introduced by Driscoll, Watt, Swanberg: A bill for an act entitled: "An act creating a gubernatorial campaign fund; allowing a taxpayer to designate one dollar (\$1) of his tax liability to that fund; providing that monies be paid from the fund to the treasurer of each qualifying political party to be used for gubernatorial campaign expenses; providing for a penalty for misuse of the funds; and providing for a termination date."

Page No. 98, 571, 589, 633, 634, 642, 646, **656**, 1030, 1045, 1046, 1047, 1053.

- 891 Introduced by Driscoll, Haines, Murphy, R. Harper, Watt, Laas: A bill for an act entitled: "An act to appropriate supplemental moneys to the Department of Public Service Regulation; and providing for other matters related to the appropriation."

Page No. 98, 417, 472, 494, 508, **545**, 1011, 1021, **1022**, 1050, 1051, 1053.

- 892 Introduced by House Select Committee on Scenic Rivers: A bill for an act entitled: "An act authorizing a state system of pastoral and scenic rivers, to be administered by local conservation districts, and amending Sections 76-108 and 76-109, R.C.M. 1947."

Page No. 98, 590, **625**, 752.

- 893 Introduced by Menahan, Roberts, Driscoll, Turman, R. Harper, Brand, Lynch, Johnston, Tierney: A bill for an act entitled: "An act providing for the method by which a teacher organization may be recognized as a collective bargaining agent by the Department of Labor and Industry; and repealing Section 75-6121, R.C.M. 1947."

Page No. 98, 379, **400**.

- 894 Introduced by Laas, Bardanouve, Burnett, Cox, Gunderson, Asbjornson: A bill for an act entitled: "An act to amend Section 84-1840, R.C.M. 1947, providing for direct payment of funds collected pursuant to the gasoline license tax laws to the cities, towns and counties of this state."

Page No. 99, 297, 329, 343, 352, **375**, 838, 848, **879**, 1004, 1005, 1014, 1020.

- 895 Introduced by Holtz, Kolstad, Edland, Jacobsen, Aageson, Lund, Burnett: A bill for an act entitled: "An act to provide that custom combiners shall pay a sixty dollar (\$60) fee per unit in lieu of all other fees and taxes."

Page No. 99, 437, 481, 516, 544, 566, **607**, 894, 1025, 1026, 1027, 1046, 1047.

- 896 Introduced by McKittrick, East, Lee, Lombardi, Menahan, Tierney: A bill for an act entitled: "An act regulating transportation of the dead; distinguishing between communicable disease deaths and other deaths; distinguishing cases when transportation regulations do not apply; providing a penalty for violation of the act."

Page No. 99, 615, **625**.

- 897 Introduced by Kvaalen, Cox, Cotton, Warfield, Yardley, Lund, Marks: A bill for an act entitled: "An act to amend Section 75-6906, R.C.M. 1947, to increase the dollar amount of the Foundation Program from eighty percent (80%) to ninety percent (90%) of the maximum - general - fund - budget - without - a - voted - levy limitation."

Page No. 99, 331, 396, **458**.

- 898 Introduced by Hager, Gunderson: A bill for an act entitled: "An act amending 66-1406, R.C.M. 1947, providing procedures whereby doctors of osteopathy licensed pursuant to R.C.M. 1947, Chapter 14 may, before December 31, 1976, qualify to prescribe and administer all drugs; defining terms; and providing an effective date."

Page No. 99, 402, **424**.

- 899 Introduced by Lee, Lynch, Cox, Forsgren, Gunderson, Stoltz, Menahan: A bill for an act entitled: "An act to amend Section 75-6104, R.C.M. 1947, relating to the notice requirements for termination of tenured teachers."

Page No. 99, 367, 394, 403, 411, **447**, 798, 829, 830, 840, 867, 933.

- 900 Introduced by Driscoll, Fagg: A bill for an act entitled: "An act creating a Board of Plumbers; requiring that journeyman plumbers, master plumbers, water conditioning contractors, lawn sprinkling contractors, fire protection contractors and industrial pipe fitters be licensed by the board; requiring fees be paid for licenses; providing for revocation or suspension of license; providing for the payment of fixture fees by wholesalers; providing for inspection; and repealing Sections 66-2401 through 66-2417 and 66-2419 through 66-2427, R.C.M. 1947."

Page No. 99, 148, 529, 589, 633, 645, 646, **656**.

- 901 Introduced by Schye, Roberts, Brown: A bill for an act entitled: "An act to amend Section 16-2911 and 16-2914 pertaining to duties and liability for neglect thereof of the county clerks and recorders by adding the provision that such clerks may refuse to record illegible documents and exempting said clerks from liability in such instances."

Page No. 99, 280, 285, 303, 309, **334**, 866.

- 902 Introduced by Schye, Roberts, Brown: A bill for an act entitled: "An act amending Sections 23-3308 and 23-3511, Revised Codes of Montana, 1947, by deleting reference to a rotation system of candidate's name arrangement and providing therefor a system of candidate's name arrangement on the ballot when drawn by lot; and providing for an effective date immediately upon passage and approval."

Page No. 99, 283, 338, **457**.

- 903 Introduced by Roberts, Brown, Schye: A bill for an act entitled: "An act to amend Section 23-3304, R.C.M. 1947, of the election laws pertaining to primary election filing fees by making the filing fee uniform for offices having a salary of more than one thousand dollars (\$1,000) per annum."

Page No. 99, 367, 382.

- 904 Introduced by Roberts, Schye: A bill for an act entitled: "An act amending Section 16-1904, R.C.M. 1947, by changing from five percent (5%) to seven percent (7%) the amount by which a county budget appropriation can exceed the immediately preceding county budget appropriation."

Page No. 100, 538, 550, 573, 576, 636, 866.

- 905 Introduced by Lockrem (by request): A bill for an act entitled: "An act to amend Section 23-3003, R.C.M. 1947, of the election laws pertaining to deputy registrars by requiring instruction in registration for notaries registering voters, and deleting the requirement of taxpaying status for electors."

Page No. 100, 283, 371, 538, 569.

- 906 Introduced by Brand, Driscoll, Roberts: A bill for an act entitled: "An act to establish the Montana Timberland Taxes Act by imposing a timber yield tax and forestland tax as a method of taxing and appraising timberlands as provided in Section 84-429.12, R.C.M. 1947; and providing an effective date."

Page No. 100, 719, 758, 779, 815, 849, 1012.

- 907 Introduced by Lombardi, Lee, Lynch, Menahan, Quilici, McKittrick, Mehrens, Kosena, Turman, Baeth, Healy: A bill for an act entitled: "An act to provide for the enforcement of determinations made by the Commissioner of Labor and Industry as provided for in Title 41, Chapters 13 and 23, R.C.M. 1947."

Page No. 100, 209, 210, 239, 258, 279, 838, 885, 886, 896, 915, 955.

- 908 Introduced by Lucas, Quilici, Baucus, Greely: A bill for an act entitled: "An act to provide an additional method of enforcement of mechanic's and materialmen's liens."

Page No. 100, 216, 225, 263, 271, 291, 843.

- 909 Introduced by Fasbender, Campbell, Driscoll, Swanberg, McKittrick, Greely, Marks: A bill for an act entitled: "An act adopting the Uniform Alcoholism and Intoxication Act, increasing the tax on alcoholic beverages to create a fund for the programs authorized by the Uniform Act, amending Sections 4-201, 4-240, 4-324, 11-927, 69-6203, 80-2404, and 94-8-105, R.C.M. 1947, and repealing Sections 4-164 and 69-6202, R.C.M. 1947."

Page No. 100, 510, 609, 633, 645, 646, 657, 920, 956, 973, 1043, 1046, 1047, 1051.

- 910 Introduced by Haines, Kosena: A bill for an act entitled: "An act relating to the authority of public employees to enter into a deferred compensation plan and authorizing the purchase of insurance and annuity contracts and mutual fund contracts."

Page No. 100, 437, 481, 516, 589, 636, 894, 944, 945, 962, 980.

- 911 Introduced by Brand, Hager: A bill for an act entitled: "An act requiring a two (2) year moratorium on rail service abandonment; and providing an effective date."

Page No. 100, 432, 440.

- 912 Introduced by Brand: A bill for an act entitled: "An act abolishing the old Board of Pardons; and repealing Section 82-903, R.C.M. 1947."
Page No. 100, 202, 211, 220, 225, **266**, 798, 828, 830, 840, 867, 933.
- 913 Introduced by Murphy, Edland, Jacobsen, Lien, Lucas, Aageson: A bill for an act entitled: "An act regarding the issuance of oversize vehicle trip permits to agricultural machinery on weekends; amending Section 32-1127, R.C.M. 1947."
Page No. 100, 274, 285, 303, 309, **335**, 920.
- 914 Introduced by Lombardi, Kosena, Healy, Lee, Quilici, Mehrens, Haines, Ainsworth, Asbjornson: A bill for an act entitled: "An act amending Section 75-7406, R.C.M. 1947, to delete Veterans' Day as a school holiday."
Page No. 100, 367, 378, 403, 411, **448**, 798, 829, 830, 840, 867, 933.
- 915 Introduced by Kimble, Haines, Norman, Bennetts, Murphy, Bradley: A bill for an act entitled: "An act to amend Section 94-5-610, R.C.M. 1947, allowing under age employees to bag, carry or transport beer for customers at grocery stores."
Page No. 100, 180, 182, 205, 211, **239**, 689, 715, 716, 724, 743, 793.
- 916 Introduced by Kimble, Edland, Towe, R. Harper, Colberg, Huennekens, Holmes: A bill for an act entitled: "An act amending Sections 82-2701, 82-2702 and 82-2703, R.C.M. 1947; to qualify landless Indians for participation in federal programs in conformation with federal law; providing that the Indian Coordinator be an Indian and serve at the pleasure of the Governor; and deleting obsolete language."
Page No. 100, 432, 436, 466, 481, **519**, 745, 788, 795, 867, 933.
- 917 Introduced by Burnett, Yardley: A bill for an act entitled: "An act removing certification and teaching experience qualifications for the office of county superintendent of schools when that office is consolidated with another county office."
Page No. 101, 368, 384, 403, 425, 427.
- 918 Introduced by Lynch, Quilici, Lee, Mehrens, Lombardi, Healy, Kosena, Menahan, Tierney, Lucas, Marbut, McKittrick, Swanberg, Turman, Haines, R. Harper: A bill for an act entitled: "An act authorizing school districts to operate middle schools as an alternative to junior high schools, and amending Sections 75-6601, 75-6902, 75-7502, and 75-7504, R.C.M. 1947."
Page No. 101, 398, 436, 466, 481, **519**, 900, 926, **949**, 1025, 1026, 1027, 1046, 1047.
- 919 Introduced by Greely, McKittrick, Fasbender, Regan: A bill for an act entitled: "An act requiring life insurance companies to refund a prorated portion of the premium when a life insurance policy is cancelled by the insured; amending Section 40-3813, R.C.M. 1947."
Page No. 101, 409, **424**.
- 920 Introduced by Greely, McKittrick, Roberts: A bill for an act entitled: "An act to amend the Restaurant, Bar and Tavern Wage Protection Act, removing the liability of lessors for unpaid wages of lessee's employees, amending Sections 41-2002, 41-2003, 41-2004, 41-2005, and 41-2006,

R.C.M. 1947, and repealing Sections 41-2007, 41-2009, and 41-2011, R.C.M. 1947."

Page No. 101, 432, 450, 467, 481, **519**, 842, 860, 885, 886, 896, 915, 955.

- 921 Introduced by Walborn, Smith: A bill for an act entitled: "An act amending Section 46-701, R.C.M. 1947, to provide that stock inspectors and detectives shall receive the same fees or emoluments as deputy sheriffs; and providing an effective date."

Page No. 101.

- 922 Introduced by Lien, Stoltz, Gunderson, Hubing, East, Lucas: A bill for an act entitled: "An act to require notice to surface owner prior to plugging of oil or gas well and providing option to surface owner of having well pipe buried."

Page No. 101, 274, 285, 303, 309, **335**, 731, 752, **764**, 805, 815, 867, 933.

- 923 Introduced by Sheldon, Roberts, Baeth, R. Harper, Greely, Towe, Huennekens, Colberg, Baucus: A bill for an act entitled: "An act repealing Section 50-1221, R.C.M. 1947, which is the confidentiality provision of the Hard Rock Mining Act; and providing for an effective date."

Page No. 101.

- 924 Introduced by Halvorson, Brand, Swanberg, Lundgren, Huennekens, Towe, Zimmer, Jones, Turner, Brown: A bill for an act entitled: "An act amending the Floodway Management and Regulation Act, Section 89-3501 et seq., R.C.M. 1947, to provide for the designation of floodplains and floodways; to shorten to six months the time within which a political subdivision may adopt land-use regulations; to empower the Board of Natural Resources and Conservation to shorten upon notice the six-month time period when necessary to comply with federal flood insurance regulations; and to allow local political subdivisions to adopt exclusive floodplain and floodway land-use regulation and permit systems."

Page No. 101, 473, 576, 605, 620, **657**, 895, 1004, 1005, 1014, 1052.

- 925 Introduced by Bennetts, Turner, Lombardi, Bell, McKittrick, Kimble: A bill for an act entitled: "An act amending Section 92-1334, R.C.M. 1947, relating to occupational disease compensation, insurance plans, by deleting certain filing fees, and a specific physician's certificate fee; making changes in accordance with the Executive Reorganization Act; and making minor style changes."

Page No. 101, 180, 182, 205, 220, 239, 258, **279**, 689, 715, 716, 724, 743, 793.

- 926 Introduced by Murphy, Tierney, R. Harper, Gerke: A bill for an act entitled: "An act to provide for a presidential preference primary election in Montana."

Page No. 101, 475, 522, 544, 566, **607**, 798, 859, 868, 885, 933.

- 927 Introduced by Baeth, Schye, Galt, Kosena, Murphy, R. Harper, Johnston, Bradley, Sheldon, Flynn, Menahan, Lynch, Lucas, Zimmer, Lee, Fleming, Seifert, Jacobsen, Edland, Aageson, Halvorson, Kolstad, Prevost, Stoltz, Cotton, Kvaalen, Marks, Roberts, Forsgren, Burnett, Quilici, Driscoll, Schepens, Lombardi, Brand, Manuel, Stephens, Mann, Rolfe, McKittrick, Swanberg, Staigmler, Mehrens, Yardley, Gunderson, Hodges, Laas: A bill for an act entitled: "An act amending Section 11-1925, R.C.M. 1947, to provide for partial pensions for volunteer fire-

men who complete ten (10) years' service but are prevented from completing twenty (20) years' service; and providing an effective date."

Page No. 101, 338, 341, 358, 363, **391**, 745, 805, 815, 867, 933.

- 928 Introduced by Lynch, McKittrick: A bill for an act entitled: "An act providing for the disposition of wages collected by the Labor Commissioner."

Page No. 102, 181, 200, 220, 225, **266**, 745, 765, **785**, 859, 860, 868, 885, 933.

- 929 Introduced by Gunderson, Murphy, McKittrick, Holmes: A bill for an act entitled: "An act amending Section 75-6119, R.C.M. 1947, by deleting reference to certain matters on which school boards are not required to negotiate but are obligated to meet and confer, and providing that a district superintendent or county high school principal may not serve as bargaining agent for either an employer or teachers."

Page No. 102, 310, 336, 343, 352, **375**, 746.

- 930 Introduced by Gunderson, Warfield: A bill for an act entitled: "An act to allow school districts to operate less than one hundred eighty (180) days in an emergency with the approval of the Superintendent of Public Instruction; and providing for a proration of a district's share of state equalization funds in this event and amending Sections 75-7402 and 75-6902, R.C.M. 1947."

Page No. 102.

- 931 Introduced by Lynch, Quilici, Lombardi, Healy, Lee, McKittrick, Mehrens, Marbut, Tierney, Bennetts, H. Harper, R. Harper, Baucus: A bill for an act entitled: "An act to appropriate two hundred thousand dollars (\$200,000) to the Department of Social and Rehabilitation Services from the general fund for the purchase of sheltered employment services and/or work activity services for severely handicapped persons for the period ending June 30, 1975; and providing an effective date."

Page No. 102, 964, 967, 990, 994, **996**, 1030, 1046, 1047, 1053.

- 932 Introduced by Bell, Greely, Marks, Lynch, Lee: A bill for an act entitled: "An act amending Section 25-605, R.C.M. 1947, to provide for increased salaries for certain county attorneys."

Page No. 102, 284, 387, 538, 550, 573, 576, **637**, 895, 1003, 1005, 1014, 1020.

- 933 Introduced by Bell, Greely, Olson, Lynch, Lee: A bill for an act entitled: "An act to require hospitals and physicians treating victims of gunshot wounds and stabbings to report to the sheriff of the county."

Page No. 102, 379, 436, 467, 481, **520**, 894, 913, **929**, 1024, 1026, 1027, 1046, 1047.

- 934 Introduced by Bell, Schye, Roberts, Brown: A bill for an act entitled: "An act to amend Section 23-3301, R.C.M. 1947, to provide that in years when a reapportionment plan is submitted to the legislature the primary election day is changed to the second Tuesday in September."

Page No. 102, 283, 308, 364, 368, 389, **390**, 402.

- 935 Introduced by Bell, Schye, Roberts, Lynch, Lee: A bill for an act entitled: "An act to amend Section 23-3003, R.C.M. 1947, of the election laws pertaining to deputy registrars by requiring instruction in registration for notaries registering voters, and deleting the requirement of taxpaying status for electors."

Page No. 102, 283, **371**, 538, 550, 573.

- 936 Introduced by Bell, Schye, Roberts, Lynch, Lee: A bill for an act entitled: "An act amending Section 25-605, R.C.M. 1947, increasing the salaries of certain county officers."

Page No. 102, 284, 308, 538, **570**.

- 937 Introduced by Murphy, Turman: A bill for an act entitled: "An act to appropriate money to the Governor, Attorney General and Public Service Commission to fund the position of intern."

Page No. 102, 897, **917**.

- 938 Introduced by Murphy, Aageson: A bill for an act entitled: "An act to amend Section 66-1020, R.C.M. 1947, to increase the compensation and allow for actual and necessary expenses for members of the Board of Medical Examiners."

Page No. 102, 149, 502, 532, 573, 576, **608**, 759, 780, **802**, 829, 830, 840, 867, 933.

- 939 Introduced by Murphy, Aageson: A bill for an act entitled: "An act to amend Section 66-1026, R.C.M. 1947, to recognize the physician test of the Medical Council of Canada."

Page No. 103, 502, 566, 573, 576, **637**, 745, 788, 795, 867, 933.

- 940 Introduced by Murphy, Aageson: A bill for an act entitled: "An act to amend Sections 66-1031 and 66-1033, R.C.M. 1947, by authorizing the Board of Medical Examiners to set examination fees."

Page No. 103, 453, 481, 516, 532, **575**, 759, 780, **803**, 829, 830, 840, 867, 933.

- 941 Introduced by Cox (by request): A bill for an act entitled: "An act to amend Sections 16-2911 and 16-2914 pertaining to duties and liability for neglect thereof of the county clerks and recorders by adding the provision that such clerks may refuse to record illegible documents and exempting said clerks from liability in such instances."

Page No. 103.

- 942 Introduced by Lynch, Quilici, Mehrens, Lee, Lombardi, Zimmer, Fagg, Halvorson, Healy, Cox: A bill for an act entitled: "An act amending Section 11-2025, R.C.M. 1947, to clarify the circumstances in which payments under the volunteer firemen's pension plan shall be made to widows and children of deceased volunteer firemen; and providing an effective date."

Page No. 103, 338, 341, 358, 363, **392**, 745, 766, 773, 867, 933.

- 943 Introduced by Kolstad, Burnett, Galt, Aageson, Johnston, Clemow, Laas, Lund, Fleming, Murphy, Quilici, Stoltz, Staigmilller, Kessner, Seifert, Mann, Jones, Selstad, Swanberg, Holtz, Menahan: A bill for an act entitled: "An act defining overdue insurance claim payments and providing that such payments bear interest."

Page No. 103, 409, 436, 445, 450, **470**, 870.

- 944 Introduced by Colberg (by request): A bill for an act entitled: "An act requiring hospitals receiving governmental funding to allow fathers in the delivery room when the attending physician has given prior approval, proper supervision is present, the father and mother have successfully completed an approved training program in prepared child-

birth, and have released the hospital, its staff, and the attending physician from liability."

Page No. 103, 380, 411, 445, 460, **494**, 640.

- 945 Introduced by H. Harper, Towe, R. Harper, Castles, Lund, Aageson: A bill for an act entitled: "An act exempting natural persons from prosecution under gambling statutes for certain types of gambling which are not for profit and are not carried on in a business establishment."

Page No. 103, 298, 314, 332, 351.

- 946 Introduced by Bardanouve: A bill for an act entitled: "An act to amend the Outdoor Advertising Act by amending Section 32-4716, R.C.M. 1947, to define commercial and industrial zones; to amend Section 32-4717, R.C.M. 1947, to define single sign; and to amend Section 32-4722, R.C.M. 1947, to permit the Highway Commission to remove unlawful outdoor advertising."

Page No. 103, 380, 397, 427, 450, **470**, 698, 715, 716, 724, 743, 793.

- 947 Introduced by Fagg: A bill for an act entitled: "An act to amend Section 23-3103, R.C.M. 1947, of the election laws, by providing that polling places need not be within the boundaries of the precinct, and providing for publication of the location of polling places."

Page No. 103, 338, 341, 358, 378, **406**, 710, **750**, 788, 795, 867, 933.

- 948 Introduced by Rolfe: A bill for an act entitled: "An act limiting to eight (8) the number of consecutive years a person may serve as a legislator."

Page No. 103, 432, **440**.

- 949 Introduced by Roberts, Driscoll, Huennekens, Greely, Baucus, Kimble, Sheldon: A bill for an act entitled: "An act to amend Section 89-872, R.C.M. 1947, designating the Department of Fish and Game as the public representative in stream adjudications under the Montana Water Use Act."

Page No. 103, 219, 454, 481, 516, 589, **637**, 894, 913, **930**, 1003, 1005, 1014, 1020.

- 950 Introduced by Roberts, Tierney: A bill for an act entitled: "An act for the general revision of the laws relating to the State Building Code; amending Sections 69-2105, 69-2107, 69-2109, 69-2110, 69-2111, 69-2113, 69-2114, 69-2119, 69-2122 and 69-2123; and repealing Sections 69-2104, 69-2106, 69-2108, 69-2115, 69-2120 and 69-2121, R.C.M. 1947."

Page No. 103, 255, 285, 303, 309, **335**, 797, 823, **857**, 980, 1021.

- 951 Introduced by Roberts, Johnston, Stephens: A bill for an act entitled: "An act to amend Sections 26-201, 46-1902 and 46-1903, R.C.M. 1947, to remove the mountain lion, wolverine and cougar from the predatory animal and wild animal classification."

Page No. 104, 235, 240, 264, 271, **292**, 480, 522, 523, 532, 550, 628.

- 952 Introduced by Fagg, Walborn, Smith, Murphy, Tierney, Hager, Watt, Holmes, Colberg, Towe, Huennekens, Bennetts: A bill for an act entitled: "An act requiring an owner of class seven new industrial property to reimburse local governments for necessary increases in local government services."

Page No. 104, 397, 815, **862**.

- 953 Introduced by Fagg, Walborn, Smith, Regan, Halvorson, Murphy, Tierney,

Hager, Watt, Holmes, Colberg, Huennekens, Towe: A bill for an act entitled: "An act amending Section 75-7104, R.C.M. 1947, and authorizing school bond issues in excess of the limitation on indebtedness where major industrial facilities are under construction or about to be constructed."

Page No. 104, 148, 773, 794, 821, 830, **873**, 968, 994, **997**, 1042, 1046, 1047, 1051.

- 954 Introduced by Baeth, Schye, Sheldon, Galt: A bill for an act entitled: "An act amending Section 11-1912, R.C.M. 1947, to provide for funding of disability and pension funds of fire department relief associations in third class cities; and providing an effective date."

Page No. 104, 338, 341, 359, 378, **406**, 745, 766, 773, 867, 933.

- 955 Introduced by Norman, Roberts: A bill for an act entitled: "An act amending Section 11-4101, R.C.M. 1947, providing a definition of industrial development projects; and amending Section 11-4103, R.C.M. 1947, to require the governing body of a municipality or county to hold a public hearing and determine public interest before issuing industrial development bonds."

Page No. 104, 362, 394, 404, 411, **448**, 894, 913, **930**, 1003, 1005, 1014, 1020.

- 956 Introduced by Colberg (by request): A bill for an act entitled: "An act to amend Section 23-3301, R.C.M. 1947, to provide that in years when a reapportionment plan is submitted to the legislature the primary election day is changed to the second Tuesday in September."

Page No. 104, 283, 308, 368, **383**.

- 957 Introduced by Gerke, Mehrens, Halvorson, Haines, Ulmer, Glennen, Mercer, Hager, Fagg, Colberg, Holmes, Huennekens, Lockrem, Regan, Towe, Cox: A bill for an act entitled: "An act amending Section 59-510(2), R.C.M. 1947, and repealing 59-510(1), R.C.M. 1947, to remove superfluous language; amending Section 16-2414, R.C.M. 1947, providing for optional office hours of state, county, and municipal offices."

Page No. 104, 255, 271, 290, 295, **320**, 690.

- 958 Introduced by Bradley, Forsgren: A bill for an act entitled: "An act amending Section 75-8601, R.C.M. 1947, waiver of tuition for resident senior citizens within the Montana University System."

Page No. 104, 398, 436, 445, 461, **495**, 798, 828, 830, 840, 867, 933.

- 959 Introduced by Marks: A bill for an act entitled: "An act to define the county of residence, for welfare purposes, of persons discharged from a state institution, and amending Section 71-302.1, R.C.M. 1947."

Page No. 104, 503, 514.

- 960 Introduced by Tierney, Stephens, Driscoll, Lee, Johnston, Lynch, Quilici, Castles, Menahan, Flynn, Seifert, Smith, Kosena, Murphy, Hodges, Edland, Lombardi, McKittrick, Healy, Aageson, Glennen, Lockrem, Cox, Campbell, Jones, Bell, R. Harper, Staigmiller, Swanberg, Gunderson, Clemow, Mehrens, Hageman, Schepens, Brand, Laas, Brown, Lundgren, Turner, Schye, Asbjornson, Turman, Huennekens, Galt, Marks, Ulmer, Fagg, Hubing, Burnett, Hager, East, Barrett, Kessner, Fleming, Roberts, Forsgren: A bill for an act entitled: "An act repealing Section 4-170, R.C.M. 1947, relating to canvassing and advertising sale of liquor or beer."

Page No. 104, 210, 239, 258, **279**, 732.

- 961 Introduced by Tierney, Fagg, Kimble, Lynch, Gunderson, Brown, Kolstad, Burnett, Lockrem, Forsgren, Aageson, Barrett, Smith, Selstad, Mann, Ainsworth, Haines, Schye, Galt, Seifert, Cox, Glennen, Mercer, Rolfe, Hager: A bill for an act entitled: "An act to amend Section 91-4414, R.C.M. 1947, providing for exemptions from the state inheritance tax."

Page No. 105.

- 962 Introduced by Tierney, Swanberg, Fagg, Gerke, Aageson, Seifert, Smith, Ainsworth, Ulmer, Fasbender, Gunderson, Clemow, Kolstad, Burnett, Watt, Forsgren, Barrett, Driscoll: A bill for an act entitled: "An act to provide for a ten percent (10%) tax on income realized from gambling and from the manufacture, sale, lease, distribution or other disposition of gambling devices in Montana; and providing penalties."

Page No. 105, 395, 436, 467, 480, 541, 806, 840, 872, 881.

- 963 Introduced by Tierney, Swanberg, Lee, Mehrens, Jones, Schye, Clemow, Lynch: A bill for an act entitled: "An act to amend Section 4-170, R.C.M. 1947, to provide for the advertising, canvassing or soliciting of orders for the purchase or sale of liquor by advertisers, agents or intermediaries of advertisers, distillers or distributors; and, providing a license and a fee therefor."

Page No. 105.

- 964 Introduced by Marks, Schye, Cotton, Kvaalen, Norman, Kendall, Prevost, Asbjornson, Barrett: A bill for an act entitled: "An act providing that all seventh and eighth grade pupils be counted as high school pupils for ANB budgeting."

Page No. 105, 490, 522, 605, 620, 657, 968, 1024, 1026, 1027, 1046, 1047.

- 965 Introduced by Driscoll, Bardanouve, Hall: A bill for an act entitled: "An act insuring that the requirements of all applicable state and federal laws be met prior to the commencement of condemnation proceedings, and amending Section 93-9907, R.C.M. 1947."

Page No. 105, 321, 332, 351, 360, 866.

- 966 Introduced by Turman, Mann, Schepens: A bill for an act entitled: "An act to amend Section 9-401, R.C.M. 1947, to permit counties to acquire and conduct cemeteries already established and conducted by municipal corporations."

Page No. 105, 338, 347, 359, 363, 392, 732, 752, 758, 868, 933.

- 967 Introduced by Murphy, Kolstad: A bill for an act entitled: "An act to amend Sections 66-2503 and 66-2505, R.C.M. 1947, to authorize the Board of Medical Examiners to set examination fees."

Page No. 105, 530, 532, 573, 576, 637, 895, 944, 962, 980, 1021.

- 968 Introduced by Hageman, Brand, Burnett, Staigmilller, Gunderson: A bill for an act entitled: "An act to amend Sections 3-805 and 3-806.1, R.C.M. 1947, delineating the duties of the Department of Agriculture and the Grain and Seed Laboratory."

Page No. 105, 284, 308.

- 969 Introduced by Fagg, H. Harper, Norman, Kimble, Colberg, Huennekens: A bill for an act entitled: "An act establishing the Montana Outdoor Recreation System and prescribing methods and policies for its authorization, acquisition, establishment, and management."

Page No. 105, 593, 642, 646, 650, 664, 901, 912, 963.

- 970 Introduced by Roberts, Baeth, Kendall, Shelden: A bill for an act entitled: "An act amending Section 93-301, R.C.M. 1947, to create the Nineteenth Judicial District of Montana."

Page No. 105, 260, 279, 290, 303, 309, **336**, 866.

- 971 Introduced by Roberts, Tierney: A bill for an act entitled: An act providing for the administration of an Emergency Medical Services Program by the Department of Health and Environmental Sciences."

Page No. 105, 348, 352, 372, 378, **406**, 900, 926, **949**, 1024, 1026, 1027, 1046, 1047.

- 972 Introduced by Roberts: A bill for an act entitled: "An act requiring real estate brokers to keep the funds of clients separate from their own funds and to keep records of their transactions."

Page No. 105, 538, **570**.

973. Introduced by Roberts: A bill for an act entitled: "An act to amend Section 4-403, to change the required number of inhabitants necessary to receive five (5) retail liquor licenses incorporated cities of over three thousand (3,000) inhabitants and within a distance of five (5) miles from the corporate limits thereof from three thousand (3,000) inhabitants to fifteen hundred (1,500) inhabitants."

Page No. 105, 348, **355**.

- 974 Introduced by Roberts: A bill for an act entitled: "An act to amend Section 4-403, relating to the number of retail liquor licenses authorized to be issued."

Page No. 106, 539, 550, 573, 589, **638**, 797, 823, **857**, 980, 991.

- 975 Introduced by Roberts, Driscoll: A bill for an act entitled: "An act to provide for public financing of campaigns for election to certain statewide offices: To establish an Election Finance Board: To limit certain campaign expenditures and contributions, to provide penalties: And to repeal Section 94-1428, R.C.M. 1947."

Page No. 106, 571, 576, 634.

- 976 Introduced by Roberts (by request): A bill for an act entitled: "An act to amend Section 95-1709, R.C.M. 1947, to provide for a random selection of successor district judges upon disqualification instead of allowing the disqualified district judge to make selection of the successor."

Page No. 106, 298, **312**.

- 977 Introduced by Roberts (by request): A bill for an act entitled: "An act to amend Section 93-901, R.C.M. 1947, to provide for a random selection of successor district judges upon disqualification instead of allowing the disqualified district judge to make selection of the successor."

Page No. 106, 174, 298, **312**.

- 978 Introduced by Turman, Kendall: A bill for an act entitled: "An act increasing the term of office of municipal court judges to four (4) years and providing for their election; deleting the authority of municipal judges to suspend court, and removing obsolete language; amending Sections 11-1703 and 11-1708, R.C.M. 1947."

Page No. 106, 115, 280, 285, 303, 317, 329, **346**, 760.

- 979 Introduced by Kolstad, Turner, Aageson, Glennen, Barrett: A bill for an act entitled: "An act to prohibit the wearing of ear listening devices while operating a motor vehicle; and providing a penalty."

Page No. 106, 171, 194.

- 980 Introduced by Regan (by request): A bill for an act entitled: "An act to conform charitable trusts and corporations which are private foundations within the meaning of the Internal Revenue Code with the requirements of Section 508(e) of the Internal Revenue Code by restricting certain activities; and providing for exceptions."

Page No. 106, 348, 352, 372, 394, 407, 895, 944, 962, 980.

- 981 Introduced by Stephens, Gunderson, Stoltz, Aageson, Manuel, Bardanouve, Mann, Murphy, Kolstad, Jacobsen, Fasbender, Edland, Lien, Johnston, Holtz: A bill for an act entitled: "An act to amend Section 84-1847, R.C.M. 1947, to reduce by three cents (\$.03) the tax on gasoline containing a grain alcohol additive, manufactured from Montana agricultural products, in place of lead."

Page No. 115, 438, 472, 532, 545.

- 982 Introduced by Kosena: A bill for an act entitled: "An act regulating the fees of private employment agencies; amending Section 41-1422, R.C.M. 1947, relating to employer interview requests to private employment agencies; and amending 41-1425, R.C.M. 1947, relating to bonds for private employment agencies."

Page No. 115, 349, 355.

- 983 Introduced by Kolstad, Warfield, Galt, Baeth, Murphy, Johnston, Quilici, Aageson, Tierney, Laas, Turner, Stoltz, Stephens, Edland, Smith, H. Harper, Hubing, Lockrem, Rolfe, Hager, Bennetts, R. Harper: A bill for an act entitled: "An act regulating Montana's standard of time; removing Montana from the present Daylight Savings Time; and providing an effective date."

Page No. 115, 339, 350.

- 984 Introduced by Brand: A bill for an act entitled: "An act providing for the examination each fiscal year by the Department of Intergovernmental Relations of the books and accounts of county and municipal officers and boards, incorporated cities and towns, school districts, irrigation districts, conservancy districts, fire districts and volunteer fire departments, fire department relief associations, television districts, hospital districts, public cemetery districts, drainage districts, and water and sewer districts; providing for departmental reports to political subdivisions examined; providing that accounting methods be prescribed by department; amending Section 89-2107, R.C.M. 1947; and repealing Section 75-6807, R.C.M. 1947."

Page No. 115.

- 985 Introduced by Bennetts, Baucus: A bill for an act entitled: "An act to amend Section 10-603, R.C.M. 1947, the jurisdictional statute with respect to juveniles, to conform the references to certain serious crimes for which a juvenile can be tried as an adult, to the appropriate citations in the new Montana Criminal Code of 1973."

Page No. 116, 615, 625.

- 986 Introduced by Bardanouve: A bill for an act entitled: "An act creating two

new sections to be placed in Title 11, Chapter 22 and Title 16, Chapter 16, R.C.M. 1947, respectively; excluding tax deed lots from liability for assessment for special improvement district and rural improvement district taxes while the tax deed lots are in the custody of the county in which the lots are located."

Page No. 116, 356, **369**.

- 987 Introduced by Haines, Gerke, Bardanouve, Turman, Ainsworth, Mann, Seifert, Walborn, Marbut, Smith, Olson, Barrett, Glennen, Healy, Rolfe, Ulmer, Holtz, R. Harper, Bell, Watt, Kendall, Clemow, Hodges, Bradley, Kosena, Mehrens, Zimmer, Fagg, Asbjornson, Cox, Lee, Tierney: A bill for an act entitled: "An act to appropriate money for the purpose of publishing two (2) unpublished legislative journals."

Page No. 116, 191, 210, 236, 263, 271, **292**, 531, 653, 677, 680, 729.

- 988 Introduced by Menahan, Mehrens, Lynch, Lee, Healy: A bill for an act entitled: "An act to amend Sections 80-1701, 80-2404, and 80-2401, R.C.M. 1947, to provide for an alcoholism services center at Galen State Hospital rather than at Warm Springs; and to make the admittance and discharge procedures the same as for ill persons."

Page No. 116, 403, 411, 445, 461, **495**, 709, 741, 743, 767, 793.

- 989 Introduced by Menahan, Kosena, Mehrens, Lee, Quilici, Lynch, Brand: A bill for an act entitled: "An act to amend the noise limitation standards for snowmobiles; amending the enforcement and penalty provisions of the act regulating snowmobile noise; and amending Sections 53-1012, 53-1020, 53-1022, and 53-1023, R.C.M. 1947."

Page No. 116, 349, 363, 389, 397, **429**, 689, 715, 716, 724, 743, 793.

- 990 Introduced by McKittrick, Barrett, Brown, Lynch, Menahan: A bill for an act entitled: "An act to provide for mediation, fact-finding and arbitration procedures when disputes exist with regard to professional negotiation agreements for teachers; and repealing Section 75-6123, R.C.M. 1947."

Page No. 116, 380, 411, 445, 461, **495**, 901.

- 991 Introduced by Healy, Lombardi, Lee, Quilici, Hodges, Lynch, Mehrens, Cox, R. Harper, Staigmiller, Lucas, McKittrick, Greely, Kosena, Swanberg, Hall, Tierney: A bill for an act entitled: "An act continuing payments for silicosis to a surviving spouse."

Page No. 116, 454, 481, 544, 589, **638**, 842, 980, 1010.

- 992 Introduced by Fagg, Colberg, Huennekens, Bradley: A bill for an act entitled: "An act imposing additional taxes on energy-consuming automobiles to encourage the purchase of automobiles consuming less gasoline as an energy conservation measure, and amending Section 84-406, R.C.M. 1947."

Page No. 116.

- 993 Introduced by Fagg, Colberg, Huennekens, Bradley: A bill for an act entitled: "An act requiring the average fuel consumption rate of each type of automobile or light truck to be determined, and the rate displayed on each such vehicle offered for sale, amending Section 53-118, R.C.M. 1947; and providing an effective date."

Page No. 116, 274, **286**.

- 994 Introduced by Fagg, Colberg, Huennekens, Towe, R. Harper, Bradley,

Marbut, H. Harper: A bill for an act entitled: "An act directing the Department of Revenue to study the feasibility of various tax incentives for energy conservation."

Page No. 117, 385, 397, 428, 436, 471, 492.

- 995 Introduced by Fagg, Colberg, Brown, Huennekens, Towe, R. Harper, Bradley, Marbut, H. Harper: A bill for an act entitled: "An act prohibiting the illumination of billboards along highways as a nonessential energy use, and amending Section 32-4722, R.C.M. 1947."

Page No. 117, 419, 440.

- 996 Introduced by Fagg, Colberg, Brown, Huennekens, R. Harper, Towe, Bradley, Marbut, H. Harper: A bill for an act entitled: "An act requiring the adoption of rules to promote conservation and efficient use of energy in the State Building Code, and amending Sections 69-2110 and 69-2111, R.C.M. 1947."

Page No. 117, 590, 626.

- 997 Introduced by Fagg, Colberg, Brown, Huennekens, R. Harper, Bradley, Marbut, H. Harper, Towe: A bill for an act entitled: "An act fixing maximum temperatures in public buildings."

Page No. 117, 294, 299.

- 998 Introduced by Fagg, Colberg, Brown, Huennekens, R. Harper, Marbut, H. Harper, Towe: A bill for an act entitled: "An act banning the use of outdoor gas torches, lamps, and other devices used for commercial decoration or advertising purposes and providing a penalty."

Page No. 117, 409, 424.

- 999 Introduced by Marbut, Olson, Baucus, Driscoll, Brown, Holmes: A bill for an act entitled: "An act to redefine the circumstances under which a minor may validly consent to receive medical or surgical care, and to amend Sections 69-6101, 69-6102, 69-6103, 69-6104, and 69-6105, R.C.M. 1947."

Page No. 117, 380, 436, 445, 508, 520, 894, 913, 930, 1042, 1046, 1047, 1051.

- 1000 Introduced by Gerke, Regan, Baucus, Holmes, Glennen, Turman, Cox: A bill for an act entitled: "An act placing all local commissions, districts, boards and agencies under the authority of a mayor or local governing body which has appointed the members of such agencies."

Page No. 117.

- 1001 Introduced by Murphy: A bill for an act entitled: "An act to amend Section 23-2604, R.C.M. 1947, to provide that general elections shall be held on the second Tuesday in September during reapportionment years."

Page No. 117, 432, 440.

- 1002 Introduced by Castles, Bell, Halvorson: A bill for an act entitled: "An act requiring state departments and administrative agencies to promulgate initial rules and regulations within six (6) months of the effective date of enacted legislation requiring the regulations or to explain their failure to promulgate such initial regulations."

Page No. 117, 294, 295, 317, 329, 346, 689.

- 1003 Introduced by Holmes, Turman, Hall, Baucus, Marbut, Castles: A bill for

an act entitled: "An act to make available to a woman who requests an abortion, at least two (2) counseling sessions with a qualified counselor."

Page No. 117, 454, 481, 517, 589, **638**, 895, 1004, 1005, 1014, 1020.

- 1004 Introduced by Holmes, Gunderson, Hodges, Bennetts, Regan, Brown, Baucus: A bill for an act entitled: "An act appropriating fifty-five thousand dollars (\$55,000) to the Commission on Human Rights from the general fund for operating expenses for the biennium ending June 30, 1975; appropriating available federal and private monies; and providing an effective date."

Page No. 117.

- 1005 Introduced by Holmes, Kosena, Lee, Fagg, Huennekens, Hager, Mehrens: A bill for an act entitled: "An act revising and updating the 'Coal Mining Code' with both substantive and housekeeping changes; amending Sections 50-401 through 50-405, 50-407, 50-428 through 50-434 and 50-468, R.C.M. 1947; and repealing Sections 50-406, 50-410 through 50-427, 50-435 through 50-465, 50-467, 50-469 through 50-475, 50-501 through 50-509, and 50-511 through 50-531, R.C.M. 1947; and providing an effective date."

Page No. 117, 503, 507, 573, 620, **657**, 895, 979, 980, 981, 991.

- 1006 Introduced by Bardanouve, Huennekens, Colberg, Baucus, R. Harper, Holmes, Swanberg, Fagg, Turman, Driscoll, Bradley, Kimble: A bill for an act entitled: "An act to create a State Geothermal Energy Administration Agency and Council for the purpose of exploration, development, production and distribution of geothermal energy in Montana."

Page No. 118, 590, **626**.

- 1007 Introduced by Bardanouve, Cox: A bill for an act entitled: "An act to establish an executive intern program; providing for administration by the Secretary of State; and providing an effective date."

Page No. 118, 490, 532, 573, 589, **658**, 866.

- 1008 Introduced by Bardanouve: A bill for an act entitled: "An act amending Section 79-310, R.C.M. 1947, to permit the Board of Investments to invest funds in building and loan associations and savings and loan associations."

Page No. 118, 409, 436, 467, 481, **520**, 689, 715, 716, 724, 743, 793.

- 1009 Introduced by Bardanouve, Driscoll: A bill for an act entitled: "An act amending Section 70-803, R.C.M. 1947, to include the commencement of eminent domain proceedings within the meaning of 'commence to construct' in the Utility Siting Act; and providing an effective date."

Page No. 118, 409, 411, 445, 461, **495**, 895, 980, 1048.

- 1010 Introduced by Bardanouve, Fagg, Driscoll, Huennekens, Shelden, Ainsworth, Turman, Haines, Yardley: A bill for an act entitled: "An act amending Sections 70-803, 70-806, and 70-807, R.C.M. 1947, to include the use of geothermal or other underground resources within the definition of 'utility facility'; and to include activities related to the possible future development of an underground utility facility within the meaning of 'commence to construct'."

Page No. 118, 419, 450, 467, 481, **521**, 900, 926, 956, 971, **975**, 1043, 1046, 1047, 1052.

- 1011 Introduced by Cox, Bardanouve: A bill for an act entitled: "An act to codify

the existence of the legislative intern program to be known as the 'Legislative Intern Act of 1974'; and providing an effective date."

Page No. 118, 490, 532, 573, 645, 646, **658**, 944, 971, **976**, 1026, 1027, 1046, 1047.

- 1012 Introduced by Menahan, Lynch, Mehrens, R. Harper: A bill for an act entitled: "An act to amend Sections 92-101, 92-102, 92-103, 92-116.1, 92-206, 92-208, 92-435, 92-614, 92-709.1, 92-806, 92-808, 92-1334, R.C.M. 1947; and to repeal Sections 92-1001 through 92-1012, R.C.M. 1947, eliminating Plan Two (2) from the Workmen's Compensation Act."

Page No. 118.

- 1013 Introduced by Lynch, Quilici, Shelden, Lee, Lombardi, Baucus, Marbut, Mann, Mehrens, H. Harper, Healy, Kosena, Lucas: A bill for an act entitled: "An act authorizing the Department of Social and Rehabilitation Services to purchase sheltered employment services and/or work activity services for severely handicapped persons; authorizing the department to promulgate rules and regulations under this act; providing for the expenditure of funds for this purpose; and providing an effective date."

Page No. 118, 615, 641, 651, **665**, 899, 1003, 1005, 1014, 1020.

- 1014 Introduced by Bradley, Towe: A bill for an act entitled: "An act extending the definition of strip mining in the Strip Mining and Reclamation Act, amending Section 50-1036, R.C.M. 1947; and providing an effective date."

Page No. 118, 617, 620, 651, **665**.

- 1015 Introduced by East, Lien, Kolstad, Burnett, Schye, Haines, Walborn, Hubing, Smith, Clemow, Staigmilller, Ellerd: A bill for an act entitled: "An act amending Section 4-403, R.C.M. 1947, to provide that the Liquor Division of the Department of Revenue may use the population estimates of the Montana Department of Intergovernmental Relations, Planning and Economic Development Division as a basis for determining the quota for liquor licenses."

Page No. 118, 539, 609, 634, 642, 646, **658**, 777.

- 1016 Introduced by Shelden: A bill for an act entitled: "An act amending Section 69-5002, R.C.M. 1947, to re-define 'subdivision' to include only parcels of less than forty (40) acres in size; and providing that this act become effective on passage and approval."

Page No. 119, 566, 609, 651, **665**, 900, 926, 954.

- 1017 Introduced by Shelden, Huennekens, Fagg, Bardanouve, Brown, Schye: A bill for an act entitled: "An act amending Section 11-3861, R.C.M. 1947, to redefine 'subdivision' to include only parcels of less than 40 acres in size and to define other terms; amending Section 11-3862, R.C.M. 1947, to require that instruments conveying land identify the land by reference to recorded certificates of survey or subdivision plats, to prohibit the filing of nonconforming instruments, to require the surveying of irregular tracts of land, and to exempt certain divisions of land from regulation; amending Section 11-3863, R.C.M. 1947, to broaden the category of subdivisions eligible for summary review and approval; amending Section 11-3864, R.C.M. 1947, regarding dedication of land for parks and open space; amending Section 11-3865, R.C.M. 1947, to provide for review of title to land proposed for subdivision; amending Section 11-3867, R.C.M. 1947, to make final plat review by examining land surveyor discretionary with the governing body; and providing an effective date."

Page No. 119, 567, 620, 651, **665**, 900, 926, 954, 1039, 1050, 1053.

- 1018 Introduced by Fagg, Bardanouve, Shelden, Johnston, Holmes, Fasbender, Turman, Huennekens, Towe, Kosen, Bennetts, Marbut, Bradley, Baucus, Kimble, H. Harper, Hager: A bill for an act entitled: "An act prescribing policies and procedures for the selection, designation, planning and regulation of areas of critical concern; and providing an effective date."

Page No. 119, 590, **626**.

- 1019 Introduced by Greely, Turman, H. Harper, Kimble: A bill for an act entitled: "An act amending Section 75-6205, R.C.M. 1947, relating to awarding of creditable service for teachers serving in public office; relating to the rights and benefits of teachers who seek and serve in public office."

Page No. 119, 285, 293, 303, 309, **336**, 603.

- 1020 Introduced by Greely, Brand, Driscoll, Hager, Baucus, Turman, Regan, H. Harper: A bill for an act entitled: "An act amending Sections 11-3823, 16-3705, 23-4724, 26-109, and 31-105, R.C.M. 1947, to allow public officers and employees to participate in election campaigns, and to protect them from undue employer influence; and repealing Section 23-4739, R.C.M. 1947."

Page No. 119, 475, 522, 573, 574.

- 1021 Introduced by Lynch, Menahan, Mehrens, Quilici, Lee, Swanberg, R. Harper, Huennekens: A bill for an act entitled: "An act amending Section 92-615, R.C.M. 1947, relating to notice of denial of claim by insurer, and amending Section 92-616, R.C.M. 1947, relating to costs and attorney fees on claims found compensable, by deleting and adding certain requirements in the two sections; and providing for an effective date."

Page No. 119, 565, 566, 605, 620, 659, 759, 780, **803**, 859, 860, 868, 885, 933.

- 1022 Introduced by Burnett, East, Kolstad, Ageson, Hageman, Staigmiller: A bill for an act entitled: "An act to amend Section 92-202.1, R.C.M. 1947, exempting certain agricultural employments and employment of members of family corporations from coverage under the Workmen's Compensation Act."

Page No. 119, 328, **330**.

- 1023 Introduced by Towe, Huennekens: A bill for an act entitled: "An act providing for a tax of ten percent (10%) on all gross receipts realized by licensees from gambling; providing for keeping of records; providing penalties for violation of the act."

Page No. 119.

- 1024 Introduced by Towe: A bill for an act entitled: "An act entitled the Montana Privacy Act of 1974; to implement Article II, Section 10 of the new constitution; and repealing Sections 94-3203, 94-3320, 94-3321, 94-3323, 94-35-220, 94-35-274, 94-35-275, R.C.M. 1947."

Page No. 119, 582, 642, 646, 651, **666**, 866.

- 1025 Introduced by Lien, Edland, Ageson, Gunderson, Hageman, Cotton, Holtz, Burnett, Schepens: A bill for an act entitled: "An act requiring automatic scale ticket printers and visible dials or other readable indicators on weighing devices for bulk commodities; and amending Section 90-182, R.C.M. 1947."

Page No. 119, 439, **462**.

- 1026 Introduced by Lucas, Schepens: A bill for an act entitled: "An act to amend Sections 40-4405 and 40-4415, R.C.M. 1947, relating to the notice requirements for cancellation of auto liability and fire insurance policies."

Page No. 120, 479, 481, 517, 532, **545**, 838, 885, 896, 915, 962, 963.

- 1027 Introduced by Hager, Greely: A bill for an act entitled: "An act amending Section 93-701-4, R.C.M. 1947, to delete the marital privilege in criminal actions; and repealing Section 95-3011, R.C.M. 1947."

Page No. 120, 260, **282**.

- 1028 Introduced by Baucus, Glennen, Towe, Holmes, Lucas: A bill for an act entitled: "An act to allow the regional board to retain all fees received for the treatment of patients under the community mental health services program and to rescind the requirement in Senate Bill No. 51, 1973 Session, providing for the deposit of forty percent (40%) of these fees in the general fund."

Page No. 120, 269, 807, 840, 872, **881**, 1030, 1044, 1046, 1047, 1053.

- 1029 Introduced by Fagg, Colberg, Brown, Huennekens, R. Harper, Bradley, Marbut, H. Harper: A bill for an act entitled: "An act restricting the authority of state and local government agencies to purchase automobiles consuming excessive gasoline."

Page No. 120, 433, 467.

- 1030 Introduced by Fagg, Colberg, Huennekens, Towe, R. Harper, Marbut: A bill for an act entitled: "An act authorizing the Department of Intergovernmental Relations to reimburse a city up to half the operating deficit of a public transportation system, and declaring such expenditure to be for highway purposes."

Page No. 120, 381, 398, 425, 897, 918.

- 1031 Introduced by Fagg, Colberg, Huennekens, Towe, R. Harper, Bradley, Marbut, H. Harper: A bill for an act entitled: "An act imposing a tax on illuminated signs which varies with the intensity of the illumination."

Page No. 120.

- 1032 Introduced by McKittrick, Regan, Marbut: A bill for an act entitled: "An act recognizing collective bargaining rights in the professional education employees of the university system and community colleges."

Page No. 120, 585, 641, 651, **666**, 900, 926, **950**, 1024, 1026, 1027, 1046, 1047.

- 1033 Introduced by Towe, Lynch, Quilici, Menahan, Seifert: A bill for an act entitled: "An act amending Section 67-2101, R.C.M. 1947, extending coverage to include the sale of subdivided land inside the state and to increase the size of lot covered from five (5) acres to less than ten (10) acres; amending Section 67-2103, R.C.M. 1947, to conform it to Section 67-2103, R.C.M. 1947, as amended; amending Section 67-2110, R.C.M. 1947, to require that a public offering statement be furnished by the purchaser before or at the time of purchase and deleting the bonding requirement; amending Section 67-2115, R.C.M. 1947, to allow the purchaser to void his contract and to provide for recovery of damages where purchaser has suffered damage because of untrue or incorrect information in public offering statement; amending Section 67-2116, R.C.M.

1947, to provide for coverage of sale or offers for sale inside the state; amending Section 67-2124, R.C.M. 1947, to reduce bonding requirements from ten thousand dollars (\$10,000) to one thousand dollars (\$1,000) and substitute the word 'transaction' for 'occurrence'."

Page No. 120, 284, 419, 459.

- 1034 Introduced by Barrett, Asbjornson, Kosena, Aageson, Johnston, Gunderson: A bill for an act entitled: "An act to amend Sections 75-5811 and 75-6104, R.C.M. 1947, to allow a county superintendent of schools to appoint a hearing officer to hear cases relating to the dismissal of teachers under contract and the termination of tenure teachers; and providing for appeals."

Page No. 120, 398, 436, 467, 481, 521, 838, 848, 880, 961, 980, 981, 991.

- 1035 Introduced by Fasbender, McKittrick: A bill for an act entitled: "An act requiring that all legally performed abortions in this state be reported to the Department of Health and Environmental Sciences."

Page No. 120, 504, 522, 573, 589, 639, 870.

- 1036 Introduced by Selstad, Manuel, Kessner, Burnett: A bill for an act entitled: "An act limiting legislators to introducing no more than three (3) bills per session, exclusive of appropriation bills and bills which have at least ten (10) co-sponsors."

Page No. 120, 298, 312, 331, 343.

- 1037 Introduced by Seifert, Selstad: A bill for an act entitled: "An act amending Section 11-3859, R.C.M. 1947, to clarify the title; amending Section 11-3860, R.C.M. 1947, to delimit the purpose of the act and limit its scope to platting and describing parcels of surveyed land; Section 11-3861, R.C.M. 1947, to redefine 'preliminary plat' and 'subdivision' and to delete 'examining land surveyor' from definitions; amending Section 11-3862, R.C.M. 1947, to clarify and delimit the scope of survey requirements, provide for additional exemptions and delete certain other exemptions, provide in the act for monumentation and form for surveys; amending Section 11-3863, R.C.M. 1947, to broaden the category of subdivisions for summary review and approval and delete provisions covered by other state laws; amending Section 11-3864, R.C.M. 1947, regarding dedication of land for parks and open space; amending Section 11-3865, R.C.M. 1947, to provide for acceptance of abstract with attorney opinion, title report and involving dedicated land and to provide for review of these documents; amending Section 11-3866, R.C.M. 1947, to fix the responsibility for review of plats by governing body; amending Section 11-3867, R.C.M. 1947, regarding review of plats and deleting the authority of the clerk and recorder to refuse to accept plats for recording; amending Section 11-3869, R.C.M. 1947, to provide for enforcement of covenants by county attorney; and amending Section 11-3876, R.C.M. 1947, extending its coverage to encompass covenants and provide for enforcement of the act by the county attorney."

Page No. 121.

- 1038 Introduced by Bradley: A bill for an act entitled: "An act adding to the duties of the Attorney General, the obligation to oversee jails and prisons; and amending Section 82-401, R.C.M. 1947."

Page No. 121, 260, 282.

- 1039 Introduced by Baucus, Turman, Haines, Bradley, Watt, Murphy, Towe: A bill for an act entitled: "An act to create a Montana work-study program to be administered by the Board of Regents of Higher Education."

Page No. 121, 307, 491, 573, 620, 659, 899, 979, 980, 981, 991.

- 1040 Introduced by McKittrick, Menahan, Turman: A bill for an act entitled: "An act amending Sections 92-413, 92-704.1, and 92-708, R.C.M. 1947, relating to the definition of beneficiary, compensation for injury causing death, and manner of payment of compensation, all under the Workmen's Compensation Act, by adding to the beneficiary definition dependent parents, brothers and sisters; providing certain death benefits to dependent parents, brothers and sisters; providing for equitable distribution to dependent parents, brothers and sisters; and granting a non-dependent parent award of three thousand dollars (\$3,000)."

Page No. 121, 210, 279, 290, 295, **320**, 842, 873, **884**, 944, 962, 991.

- 1041 Introduced by Swanberg, Greely: A bill for an act entitled: "An act to designate the Legislative Auditor as a bank examiner pursuant to federal statutes."

Page No. 121, 376, 407, 428, 436, **471**, 870.

- 1042 Introduced by Huennekens, Driscoll, Fagg, Towe: A bill for an act entitled: "An act amending Section 84-437.2, R.C.M. 1947, the Green Belt Act; increasing the kinds of agricultural crops covered, allowing home-consumed agricultural products to be counted toward farm income and removing the requirement of annual application for agricultural application."

Page No. 121.

- 1043 Introduced by Huennekens, R. Harper: A bill for an act entitled: "An act to control and regulate the practice of charging fees for hunting and fishing rights."

Page No. 121, 356, 364, 389.

- 1044 Introduced by Huennekens: A bill for an act entitled: "An act amending Section 53-1025, R.C.M. 1947; increasing the license fee for snowmobiles from two dollars (\$2) to four dollars (\$4)."

Page No. 121.

- 1045 Introduced by Huennekens: A bill for an act entitled: "An act to amend Section 26-202.1, R.C.M. 1947, raising license fees for nonresident hunters; limiting the number of nonresident hunter's licenses allowed; and providing for a ten dollar (\$10) resident mountain sheep license in certain cases."

Page No. 121, 284, 308, 356, 364, **389**, 402, 428, 460, **496**, 732.

- 1046 Introduced by Baucus: A bill for an act entitled: "An act appropriating money to the Department of Health and Environmental Sciences for the regulation of sanitation in subdivisions."

Page No. 122, 926, 966, 970, **974**, 1014.

- 1047 Introduced by Bradley, Driscoll, Towe, Norman, Hall, Turman, Marbut, Fagg: A bill for an act entitled: "An act providing the Public Service Commission authority and the duty to encourage energy conservation through revisions of utility rate classifications; directing the commission to revise such rates; amending Section 70-115, R.C.M. 1947, and providing an effective date."

Page No. 122, 586, 620, 651.

- 1048 Introduced by Hall: A bill for an act entitled: "An act to amend Section

11-1832, R.C.M. 1947, raising the minimum wage of police in first and second class cities."

Page No. 122, 284, 387, 624, 641, 651, **666**, 900, 926, 956, 965, 966, 967, 989, 1012.

- 1049 Introduced by Hall: A bill for an act entitled: "An act amending Section 91-807, R.C.M. 1947, by providing that copies of the notice of the time appointed for the probate of the will be mailed to all named beneficiaries."

Page No. 122, 160.

- 1050 Introduced by Hall: A bill for an act entitled: "An act to provide for cities of the first and second class and for other cities electing to come within the provisions hereof a statewide police reserve fund and program; transferring as to such cities to the Department of Administration police reserve funds and the administration and investment thereof; providing for the abolition of the functions of boards of trustees of police reserve funds of such cities and for the transfer of their functions to the Department of Administration and, as to quasi-judicial functions, to the Board of Retirement; providing the means to fund the reserve officers program; providing for the qualification of police officers eligible for the reserve list and the payment thereof; providing for the payment of benefits upon death of a police officer; providing for the exemption of payments from attachment and other operations of legal process; amending Sections 11-1814, 11-1823, 11-1825, 11-1826, 11-1832, and 11-1836, R.C.M. 1947; and repealing Sections 11-1818, 11-1820 and 11-1821, R.C.M. 1947."

Page No. 122, 539, 550, 604, 605, 634, 642, 646, **659**, 900, 926, 956, 971, **976**, 1026, 1027, 1046, 1047.

- 1051 Introduced by Warfield, Forsgren: A bill for an act entitled: "An act revising the method of calculating the 'average number belonging' or 'ANB' of a school district, and amending Section 75-6902, R.C.M. 1947."

Page No. 122.

- 1052 Introduced by Warfield, Barrett, Prevost, Edland: A bill for an act entitled: "An act providing for variances in kindergarten programs if approved by the Superintendent of Public Instruction; providing that such program will compute the average number belonging in a manner prescribed by the Superintendent of Public Instruction within a certain limit; and amending Sections 75-6902, 75-7402, and 75-7403, R.C.M. 1947."

Page No. 122, 368, 378, 404, 411, 900, 926, 956, 971, **976**, 1042, 1046, 1047, 1053.

- 1053 Introduced by Fagg, Zimmer, Asbjornson, Lee: A bill for an act entitled: "An act creating a Board of Sanitarians; regulating and licensing sanitarians; providing a penalty; and repealing Section 69-3401 through 69-3409, R.C.M. 1947."

Page No. 122, 617, 620, 651, **666**, 900, 926, 956, 971, **977**, 1042, 1046, 1047, 1052.

- 1054 Introduced by Lucas, Tierney, Kendall, Burnett, Lien, Brand, Swanberg: A bill for an act entitled: "An act amending Section 11-1602, R.C.M. 1947, to give police courts jurisdiction over misdemeanors committed within the limits of cities and towns."

Page No. 122, 261, 279, 295, **320**, 777.

- 1055 Introduced by Turner: A bill for an act entitled: "An act amending Sections

84-202 and 84-301, R.C.M. 1947, to remove the exemption from property taxation from all perishable fruits and vegetables in farm storage."

Page No. 122, 275, 280, 290.

- 1056 Introduced by Lucas, Tierney, Swanberg, Cox, Bell, McKittrick, Turman, Hall, Yardley, Rolfe: A bill for an act entitled: "An act to amend Section 79-310, R.C.M. 1947, requiring investments by the State Board of Investments to be made only through institutions, corporations or persons licensed to do business in the State of Montana."

Page No. 122, 479, 522, 573, 620, **659**, 899, 944, 962, 991, 1021.

- 1057 Introduced by Kimble, Norman, Baucus, Turman, Ainsworth, Marbut: A bill for an act entitled: "An act amending Section 16-2726, R.C.M. 1947, to allow all counties the option of setting up a Department of Public Safety."

Page No. 123, 456, **463**.

- 1058 Introduced by Baucus, Barrett, Glennen, Bennetts, Turman, Lynch, Marbut: A bill for an act entitled: "An act to require the Department of Administration and municipalities to adopt a State Building Code for energy conservation; amending Sections 69-2105, 65-2109, 69-2110, 69-2111 and 69-2114; and providing for an effective date."

Page No. 123, 376, 445, 461, **496**, 866.

- 1059 Introduced by Burnett, Flynn: A bill for an act entitled: "An act providing that national guardsmen who are called out to perform duties also being performed by civilians shall be paid at the same rate as civilians if the civilian pay is higher, with the difference to be paid by the agency requesting the aid of the National Guard."

Page No. 123, 290, 339, **350**, 896.

- 1060 Introduced by Yardley: A bill for an act entitled: "An act amending Section 54-133, R.C.M. 1947, to clarify the penalties for possession of dangerous drugs."

Page No. 123, 275, 285, 303, 309, **336**, 745, 766, 773, 868, 933.

- 1061 Introduced by Towe: A bill for an act entitled: "An act establishing competitive selection procedures for firms and persons providing professional services to agencies of the state and local governments and school districts; prohibiting the payment of contingent fees for professional service contracts; and providing penalties."

Page No. 123, 377.

- 1062 Introduced by Towe, R. Harper, Lynch, Lee, Lombardi, Mehrens, Shelden, Murphy, Bradley, Healy, Driscoll, Tierney: A bill for an act entitled: "An act amending Section 40-3520, R.C.M. 1947; providing automobile insurance is an exception to the Fictitious Group Division."

Page No. 123, 587, 620, 651.

- 1063 Introduced by Towe, R. Harper, Gunderson, Huennekens, Murphy: A bill for an act entitled: "An act providing the right of the people in a local county or district to form public utility districts by election and with local autonomy in district affairs; providing for formation, organization, powers, financing, consolidation of public utility districts; providing for local election of commissioners for administration of districts, appointment of qualified managers; providing for development on a district wide

basis to benefit all inhabitants, rural and urban, and establishment of rates on a uniform and non-discriminatory basis; providing for payment of taxes to local and state governments, and schools; providing for placement of service above profit in utility services; providing for conservation of power resources of the State of Montana for benefit of the people thereof; providing for severability, rule of construction, repealing conflicting acts; and providing an effective date."

Page No. 123, 284, 396, 458.

- 1064 Introduced by Baucus, Roberts, Barrett, Bennetts, Murphy, Lynch, Mehren, Quilici, Hageman, Bradley: A bill for an act entitled: "An act amending Section 70-113, R.C.M. 1947, to require the Public Service Commission to hold hearings on proposed changes in schedules when there are adverse parties, and to render decisions in such contested cases in conformity with the Administrative Procedure Act."

Page No. 123, 433, 441.

- 1065 Introduced by Baucus, Roberts, Bennetts, Edland, Prevost, Lynch, Marbut, Holmes, Mehrens, Hageman, Murphy, Bradley: A bill for an act entitled: "An act amending Section 70-128, R.C.M. 1947, to allow an appeal from a decision of the Public Service Commission on the grounds that such decision is arbitrary or capricious and to extend the rights of pretrial discovery relative to this issue."

Page No. 123, 433, 441, 464.

- 1066 Introduced by Baucus, Norman, Turman, Murphy, Lynch, Marbut: A bill for an act entitled: An act amending Sections 80-1602 and 80-1603, R.C.M. 1947, providing that capital outlay be included in per diem charges assessed against residents, or responsible persons, of certain state institutions and that residents, or responsible persons, be assessed for identifiable, direct, patient service expenses."

Page No. 124, 478, 522, 574, 589, 639, 899, 1005, 1014, 1020.

- 1067 Introduced by Edland, Bennetts, Bradley, R. Harper, Kimble, Towe: A bill for an act entitled: "An act to authorize probation officers for both adult and juvenile offenders to establish and join professional associations and to pay for membership in such associations with money from the general fund, in the case of adult probation officers and county funds in the case of juvenile probation officers."

Page No. 124, 261, 282.

- 1069 Introduced by Edland, Baucus, Fagg, Murphy, R. Harper, Quilici: A bill for an act entitled: An act to require licensees conducting horse race meetings to pay to the Department of Professional and Occupational Licensing for deposit in the earmarked revenue fund of the Board of Horse Racing all unclaimed funds within thirty (30) days of the close of the meeting; and providing for an effective date."

Page No. 124, 433, 450, 467, 521, 842, 885, 886, 915, 955.

- 1070 Introduced by Burnett, Kolstad: A bill for an act entitled: "An act amending Sections 84-437.2 and 84-437.3, R.C.M. 1947, to modify the qualifications for determining whether land is being devoted to agricultural use; to abolish the need for annual application for agricultural valuation, assessment and taxation of land devoted to agricultural use; to abolish the requirement for the initial application for agricultural valuation, assessment, and taxation on land that was so valued, assessed and taxed prior to July 1, 1973; to provide a refund for all late application penalties collected under Subsection (4)(a) of Section 84-437.2, R.C.M. 1947, as it was before these amendments."

Page No. 124.

- 1071 Introduced by Hall: A bill for an act entitled: "An act to provide for the appointment of the members of the Public Service Commission by the Governor with the consent of the Senate; providing for the filling of vacancies; providing for the terms of members; providing qualifications for members; providing for the continuance of current members; providing for a salary for members; and amending Sections 25-501, 72-101, and 82A-1702, R.C.M. 1947."

Page No. 124, 479, 481, 517.

- 1072 Introduced by Brown (by request): A bill for an act entitled: "An act to amend Section 23-3304, R.C.M. 1947, of the election laws pertaining to primary election filing fees by making the filing fee uniform for offices having a salary of more than \$1,000 per annum."

Page No. 124; 307, 313.

- 1073 Introduced by Greely, Lucas, Tierney, Baucus, Stephens: A bill for an act entitled: "An act amending Sections 52-402, 52-403 and 52-404, R.C.M. 1947, to permit the use of trust indentures for areas of real estate of not more than forty (40) acres."

Page No. 124, 410, 436, 467, 481, 521, 777, 823, 838, 840, 870, 911, 926, 956, 959, 1025, 1026, 1027, 1046, 1047.

- 1074 Introduced by Holtz: A bill for an act entitled: "An act amending Section 66-802, R.C.M. 1947, and clarifying definition of cosmetology."

Page No. 124, 284, 308, 504, 507, 574, 589, **639**, 798, 859, 860, 868, 885, 933.

- 1075 Introduced by H. Harper: A bill for an act entitled: "An act amending Section 54-316, R.C.M. 1947, by requiring the Board of Pharmacists to waive the requirement for registration of certain practitioners to dispense dangerous drugs."

Page No. 124. 617, **627**.

- 1076 Introduced by Towe: A bill for an act entitled: "An act to authorize citizens to complain to certain state agencies about environmental degradation and, failing to receive action within one hundred eighty (180) days, to maintain an action in court."

Page No. 124, 284, 420, 451, 467.

- 1077 Introduced by Towe: A bill for an act entitled: "An act requiring Mexican-American studies to be part of the educational background of public school teaching personnel employed in any school serving an area containing 15% or more Mexican-Americans in the total population and encouraging Mexican-American studies as part of the educational background of other school personnel employed in the state."

Page No. 125.

- 1078 Introduced by Murphy (by request): A bill for an act entitled: "An act providing for a trial by jury in district court for workmen's compensation appeals; amending Section 92-834, R.C.M. 1947."

Page No. 125, 298, 313.

- 1079 Introduced by Kimble, Baucus, Haines, Turman, Ainsworth, Gunderson, Marbut, R. Harper, Fleming: A bill for an act entitled: "An act to establish a special permit for the sale of liquor by units of the Montana Uni-

versity System."

Page No. 125, 377, **383**, 402, 428.

- 1080 Introduced by Baucus, Mehrens, Kosena, Lynch, Brand, Kendall, Barrett, Glennen, R. Harper, Quilici: A bill for an act entitled: "An act providing for additional punishment for persons convicted of a felony the perpetration of which involved the use of a firearm."

Page No. 125, 298, 321, 332, 341, **360**, 866.

- 1081 Introduced by Driscoll, Brand: A bill for an act entitled: "An act to allow a taxpayer a limited deduction from adjusted gross income for political contributions."

Page No. 125, 462, 472, 517, 532, **575**, 838, 848, **880**, 944, 945, 962, 991, 1021.

- 1082 Introduced by Hager, Towe, Fagg, Glennen, Cox, Mercer, Huennekens, Holmes: A bill for an act entitled: "An act to provide a graduated scale for store license fees paid by retail chain stores; amending Section 84-2405, R.C.M. 1947."

Page No. 125, 433, 460, 494, 508, **546**, 842, 885, 886, 915, 955.

- 1083 Introduced by Murphy: A bill for an act entitled: "An act authorizing boards of county commissioners to expend funds for the support of county bicentennial committees; providing for an effective date; and providing for an automatic repeal."

Page No. 125, 339, 347, 359, 363, **392**, 798, 859, 860, 868, 885, 933.

- 1084 Introduced by Yardley: A bill for an act entitled: "An act amending Section 84-4903.1, R.C.M. 1947, to provide that an employer engaged in motion picture production, television production or television commercial production is not required to withhold Montana income tax from the wages or salary of an employee who is not a Montana resident and who is employed in Montana for less than sixty (60) days in any calendar year."

Page No. 125, 181, 299, 309, 332, 341, **360**, 958.

- 1085 Introduced by Healy, Bell, Lee, Lombardi, R. Harper, McKittrick, Quilici, Lynch: A bill for an act entitled: "An act providing a preliminary inquiry for prisoners accused of violating the conditions of parole or conditional release; amending Section 94-9838, R.C.M. 1947, to make the preliminary inquiry a condition precedent to returning prisoners to the actual custody of the Board of Pardons pending a revocation hearing."

Page No. 125, 401, 436, 467, 481, **522**, 866.

- 1086 Introduced by Healy, Bell, Lee, Quilici, R. Harper, McKittrick, Swanberg, Lombardi, Lynch: A bill for an act entitled: "An act amending Sections 95-2217 and 95-2219, R.C.M. 1947, to raise the minimum wage for prisoners in the Work Furlough Program; Section 95-2221, R.C.M. 1947, to facilitate the screening procedures for prisoners applying for work furlough; and Section 95-2226, R.C.M. 1947, to more clearly define the supervisory responsibilities of the Board of Pardons and the county sheriffs over work furlough prisoners; to prevent such prisoners from associating with other county jail inmates; to give such prisoners a preliminary inquiry if they are accused of violating the rules and regulations of the Work Furlough Program; and to clarify the procedures to be followed in the event such prisoners fail to obtain employment, become disabled, or do not favorably respond to an education furlough."

Page No. 125, 306, 341, 359, 363, **392**, 640.

- 1087 Introduced by Tierney, Lynch, Driscoll, Roberts, Quilici, Menahan: A bill

for an act entitled: "An act to establish bail bond requirements for traffic offenses not involving personal or property damage committed by a resident of the State of Montana."

Page No. 125, 381, 400.

- 1088 Introduced by Mehrens, Kosena, Menahan, R. Harper, Lombardi, Lynch, Lee, Healy, Swanberg, Fasbender, Huennekens, Quilici, H. Harper, Kendall, Shelden, Asbjornson, Fleming, McKittrick, Hall, Campbell, Castles, Barrett: A bill for an act entitled: "An act to amend Section 71-222, R.C.M. 1947, to provide for the reduction of millage taxes to be levied."

Page No. 126.

- 1089 Introduced by McKittrick, Turman, Kosena: A bill for an act entitled: "An act to amend Section 68-1602, R.C.M. 1947, to provide an exemption to the exclusion from the retirement system for persons who are members of any other retirement or pension system."

Page No. 126, 410, 411, 445, 461, 497, 900, 913, 931, 1003, 1005, 1014, 1020.

- 1090 Introduced by Bennetts, Norman, McKittrick: A bill for an act entitled: "An act to amend Section 31-127, R.C.M. 1947, changing the provisions thereof, and limiting inquiries on application for driving permits to a period of twelve (12) months, prior to date of application."

Page No. 126, 420, 434, 436, 445, 497, 866.

- 1091 Introduced by Bennetts, McKittrick: A bill for an act entitled: "An act to prohibit inquiries by state, county, and municipal licensing and employing agencies and private employers from making inquiries of applicants as to their past medical histories prior to a period of eighteen (18) months from date of application, and allowing the option of requiring both physical and/or mental examination to the licensing or employing entity."

Page No. 126, 307, 336, 342, 450, 467.

- 1092 Introduced by Bennetts: A bill for an act entitled: "A bill to amend Section 59-510 so as to re-define the times in which public offices must be kept open."

Page No. 126, 167, 377, 383.

- 1093 Introduced by Burnett, East, Manuel: A bill for an act entitled: "An act to exempt household and domestic servants or those employed in farming, dairying, agricultural, viticultural, and horticultural, stock or poultry raising, or persons whose employment is of a casual nature; and repealing Section 92-202.1, R.C.M. 1947."

Page No. 126, 310, 329, 343.

- 1094 Introduced by Glennen: A bill for an act entitled: "An act amending Section 16-1904 by changing from five percent (5%) to seven percent (7%), the amount by which a county budget appropriation can exceed the immediately preceding county budget appropriation."

Page No. 126.

- 1095 Introduced by Baucus, Turman, Lynch: A bill for an act entitled: "An act amending Section 41-701, R.C.M. 1947, by providing conditions when the contract cost of a contract awarded under this section shall be reduced

and providing for repayment of excess money of contract price to contracting authority."

Page No. 126, 339, 352, 359, 363, **393**, 698.

- 1096 Introduced by Lombardi (by request): A bill for an act entitled: "An act to limit the salaries of county attorneys."

Page No. 126, 284, 308, 540, **570**.

- 1097 Introduced by Fagg, Jones, Kolstad, Schye, Hager, Mercer, Glennen, Gunderson, Fleming, Holmes, Stoltz, Stephens, R. Harper, Lombardi: A bill for an act entitled: "An act to revise, consolidate and classify the laws relating to the insurance and surety business; to regulate the incorporation or formation of domestic insurance and surety companies and associations and the admission of foreign and alien companies and associations; to provide their rights, powers and immunities and to prescribe the conditions on which companies and associations organized, existing, or authorized under this act may exercise their powers; to provide the rights, powers and immunities and to prescribe the conditions on which other persons, firms, corporations, and associations engaged in an insurance or surety business may exercise their powers; to provide for the imposition of a privilege fee on domestic insurance companies and associations and the state accident fund; to provide for the imposition of a tax on the business of foreign and alien companies and associations; to provide for the imposition of a tax on the business of surplus line agents; to modify tort liability arising out of certain accidents; to require security for losses arising out of certain accidents; to provide for the departmental supervision and regulation of the insurance and surety business within this state; and to provide penalties for the violation of this act; amending Section 32-1208, R.C.M. 1947; repealing Sections 40-4403 and 53-418 through 53-458, R.C.M. 1947."

Page No. 126, 401, 752.

- 1098 Introduced by Lee, Lynch, Quilici, Mehrens, Kosena, Lombardi, Healy, Menahan, Turman, Baucus, R. Harper, Fagg, Murphy: A bill for an act entitled: "An act amending Section 11-710, R.C.M. 1947, relating to the qualification of mayor, by lowering the age of eligibility from twenty-five (25) years to twenty-one (21) years."

Page No. 127, 307, 321, 332, 341, **360**, 732, 758, 868, 933.

- 1099 Introduced by Lee, Quilici, Lynch, Mehrens, Menahan, Lombardi, Driscoll, Healy, Fasbender, Greely: A bill for an act entitled: "An act amending Sections 92-701.1, 92-702.1, and 92-704.1, R.C.M. 1947, relating to the payment of workmen's compensation benefits for temporary total disability, total permanent disability, and death, by deleting provisions allowing workmen's compensation insurers to reduce workmen's compensation payments by the amount of federal periodic benefits paid to a claimant."

Page No. 127, 587, 620, 651, **667**, 920, 1003, 1005, 1014, 1020.

- 1100 Introduced by Greely, Swanberg, Fagg, Fasbender, Ainsworth, Ulmer, Turman, Fleming, Warfield, Prevost, Baucus, Towse: A bill for an act entitled: "An act relating to the retail sale of wine, providing for licensing of retailers and sale of wine to retailers."

Page No. 127, 284, 420, **459**.

- 1101 Introduced by Schepens, Brown: A bill for an act entitled: "An act revising the list of public uses for which the right of eminent domain may be exercised, and amending Section 93-9902, R.C.M. 1947."

Page No. 127, 568, 609, 634, 642, 646, **660**, 900, 926, 956, 965, 966, 967, 993, 989, 1022, **1023**, 1030, 1045, 1050, 1053.

- 1102 Introduced by Rolfe: A bill for an act entitled: "An act providing compensation for victims of crime."

Page No. 127, 261, 283.

- 1103 Introduced by Lockrem, Tierney, Lucas, Ulmer, Kimble, Murphy, Huennekens: A bill for an act entitled: "An act to appropriate two million three hundred sixty-one thousand dollars (\$2,361,000) from the general fund to the Department of Intergovernmental Relations to be distributed to local government study commissions."

Page No. 236, 771, 897, 918.

- 1104 Introduced by Kimble, Haines, Flynn, Lockrem, R. Harper, Norman, Hodges, Glennen, Lynch, Hager, Stoltz, Halvorson, Turman, Towe, Watt: A bill for an act entitled: "An act making a supplemental appropriation to libraries of the Montana University System for the acquisition of books and periodicals."

Page No. 263, 868, 897.

- 1105 Introduced by Regan, Cox: A bill for an act entitled: "An act to appropriate moneys to establish a rural dentistry program in Montana through cooperation with the University of Minnesota School of Dentistry."

Page No. 263, 759, 773, 804, 815, 849, 969.

- 1106 Introduced by Stephens (by request): A bill for an act entitled: "An act appropriating the sum of thirty-seven thousand two hundred and ten dollars (\$37,210) to the Department of Health and Environmental Sciences for the purpose of administration of the preventive dental health program of the department."

Page No. 275, 897, 918.

- 1107 Introduced by Marbut: A bill for an act entitled: "An act to appropriate three hundred fifty-nine thousand five hundred dollars (\$359,500) to the Montana State Council on Developmental Disabilities Services and Facilities from the general fund for the implementation of the Montana Developmental Disabilities Services and Facilities Act of 1974, for the biennium ending June 30, 1975."

Page No. 301, 1028, 1034.

- 1108 Introduced by Gerke, Regan, Colberg, Huennekens, Lockrem, Mercer, Cox, Holmes, Glennen, Towe, Hager, Fagg: A bill for an act entitled: "An act to appropriate funds for remodeling and enlarging the science building located at Eastern Montana College for the biennium ending June 30, 1975; and providing for other matters relating to the appropriation."

Page No. 316.

- 1109 Introduced by Watt, Baucus, Norman, Kimble: A bill for an act entitled: "An act appropriating one hundred eighty-two thousand four hundred dollars (\$182,400) from the long-range building fund to the Department of Administration for the planning and construction of a Montana Army National Guard Armory in Missoula County; and providing an effective date."

Page No. 342, 706, 729.

- 1110 Introduced by Lien, Lucas, Ulmer, Cotton, Gunderson, Fleming, Hubing, East, Edland: A bill for an act entitled: "An act appropriating seven

hundred thousand dollars (\$700,000) from the general fund to the Department of Intergovernmental Relations for funding the purchase and operation of state-owned aircraft for the biennium ending June 30, 1975."

Page No. 388, 994.

- 1111 Introduced by Watt, Marbut, Norman, Kimble, Haines, Bell, Halvorson: A bill for an act entitled: "An act appropriating two hundred thousand dollars (\$200,000) to the State Bicentennial Commission for a two (2) year period for distribution to county bicentennial committees on the basis of need; and providing an effective date."

Page No. 388, 767, 794, 821, 830, **849**, 1004, 1005, 1014, 1020.

- 1112 Introduced by Bradley, Baucus, Forsgren, Warfield: A bill for an act entitled: "An act to appropriate moneys to the University of Montana and to Montana State University for the biennium ending June 30, 1975; and providing for other matters relating to the appropriations."

Page No. 388, 868, **897**.

- 1113 Introduced by Marbut, Haines, Turman, Ainsworth, Watt, Kimble, Norman, Baucus, Driscoll, Seifert, Mann, Brown, Lundgren: A bill for an act entitled: "An act appropriating money from the general fund to the Department of Institutions for the operation of the Child Development Center located in Missoula, Montana for the biennium ending June 30, 1975."

Page No. 402, 1017, 1021, 1027, 1029, **1032**, 1037.

- 1114 Introduced by Laas: A bill for an act entitled: "An act appropriating money to the Department of Intergovernmental Relations to provide supplemental funding for the Office of Rural Development Specialist."

Page No. 464.

- 1115 Introduced by Baucus, Kimble, Gunderson, Healy, Regan: A bill for an act entitled: "An act appropriating six hundred eight thousand dollars (\$608,000) from the general fund to the Board of Regents of Higher Education for the work-study program administered by the board."

Page No. 493, 1016, 1027, 1029, **1030**, 1039.

- 1116 Introduced by Norman, Brand, Bell: A bill for an act entitled: "An act appropriating the sum of two million, six hundred thousand dollars (\$2,600,000) from the general fund to the Board of Examiners for the purpose of payment of an honorarium to residents of Montana who served in the military services in the Vietnam area during the Vietnam War."

Page No. 516, 1033, 1034, 1048, 1050, 1051, 1052, 1053.

- 1117 Introduced by Fleming, Murphy, Jacobsen, Lien, Edland: A bill for an act entitled: "An act to appropriate money for capital projects for the biennium ending June 30, 1975 and providing for other matters relating to the appropriations."

Page No. 516, 706, 715, 733, 743, **747**, 899, 1004, 1005, 1014, 1020.

- 1118 Introduced by Marks, Bell, Campbell, H. Harper: A bill for an act entitled: "An act to appropriate money for capital projects for the biennium ending June 30, 1975; and providing for other matters relating to the appropriations."

Page No. 542, 1014, 1016, 1017, **1019**.

- 1119 Introduced by Ulmer, Lucas: A bill for an act entitled: "An act to appropriate sixty thousand dollars (\$60,000) to the Pine Hills School for paying the state's portion of the local share of the Carbon Hill Watershed Project; and providing an effective date."

Page No. 706, 715, 733, 743, **747**, 900, 926, 956, 971, **977**, 1024, 1026, 1027, 1046, 1047.

- 1120 Introduced by Cox, Warfield, Regan, Gunderson, Colberg, Lucas: A bill for an act entitled: "An act to appropriate moneys from the general fund to the Board of Regents of Higher Education for Western Interstate Compact for Higher Education student payments."

Page No. 647, 868, **898**.

- 1121 Introduced by Cox, Kvaalen, Bradley, Jacobsen, Turman: A bill for an act entitled: "An act to appropriate six hundred sixty-nine thousand seven hundred fifty dollars (\$669,750) from the general fund to the Department of Intergovernmental Relations to be distributed to municipalities and counties for support of local government study commissions."

Page No. 751, 909, **958**, 1011, 1042, 1046, 1047, 1052.

- 1122 Introduced by Kimble, Lund, Edland, Johnston, Fleming, Stoltz, Lien: A bill for an act entitled: "An act appropriating money to the Indian Affairs Unit of the Department of Intergovernmental Relations from the general fund for additional staffing and administration for the biennium ending June 30, 1975."

Page No. 751, 926, 966, 967, 973, 1030, 1046, 1047, 1053.

- 1123 Introduced by Brand, Menahan: A bill for an act entitled: "An act appropriating two hundred thousand dollars (\$200,000) from the general fund to the Department of Institutions for the biennium ending June 30, 1975 to provide bus service for the employees of Boulder River School and Hospital, Galen State Hospital, Warm Springs State Hospital and the State Prison at Deer Lodge."

Page No. 800, 1017, **1036**.

- 1124 Introduced by R. Harper, Gunderson: A bill for an act entitled: "An act appropriating money to the Legislative Auditor to be used to provide staff service in reviewing fiscal notes."

Page No. 800.

- 1125 Introduced by Schye, Johnston: A bill for an act entitled: "An act appropriating sixty-five thousand dollars (\$65,000) from the general fund to the Department of Intergovernmental Relations for the biennium ending June 30, 1975 to provide staffing for the implementation of the Montana Subdivision and Platting Act."

Page No. 838, 957, 980, 994, 995, **998**, 1039.

- 1126 Introduced by Bardanouve, Brand: A bill for an act entitled: "An act appropriating money to the Public Employees' Retirement System for Montana Highway Patrolmen's Retirement System fund."

Page No. 838, 945, 952, 966, 967, **973**, 1014.

- 1127 Introduced by Fagg, Ulmer, Tierney, Watt, Kolstad, Halvorson, Norman, Towe, Yardley, Swanberg, Lundgren, Healy, Edland, Burnett: A bill for an act entitled: "An act appropriating fifty thousand dollars (\$50,000)

from the general fund to the Department of Intergovernmental Relations and to the Department of Revenue for the purpose of conducting a study of ways in which local political subdivisions, particularly rural counties, school districts and communities can be assisted in meeting the increase in local governmental services required in areas where major industrial development is taking place or is about to take place; providing for a return of the funds or any part of them to the general fund if alternative federal or other funds are obtained; and providing an effective date."

Page No. 867, 965, 992.

- 1128 Introduced by Kosen, Haines, Prevost, Manuel, Fleming, Turman, Asbjornson, Glennen, Marks, Jacobsen, Lund, Lynch, East, Laas, Regan, Bardanouve: A bill for an act entitled: "An act appropriating one hundred nine thousand six hundred forty dollars (\$109,640) from the general fund to the Office of the Legislative Auditor for the biennium ending June 30, 1975 for the creation and staffing of a legislative fiscal analysis program within the Office of the Legislative Auditor."

Page No. 895, 917, 958, 1011, 1030, 1043, 1046, 1047, 1053.

- 1129 Introduced by Laas, Haines, Johnston: A bill for an act entitled: "An act appropriating eight thousand five hundred dollars (\$8,500) to the Montana Historical Society for the services of a photo-archivist."

Page No. 912, 945, 952, 966, 967, 973, 1030, 1044, 1046, 1047, 1053.

- 1130 Introduced by Lee, Lombardi, Healy, Quilici, R. Harper, Lynch, Bell, McKittrick, Mehrens, Flynn, Menahan, Brand, Norman, Kimble, Lucas, Ulmer, East, Laas, Murphy, Bennetts, Tierney: A bill for an act entitled: "An act appropriating one hundred ninety thousand seven hundred twenty dollars (\$190,720) from the general fund to the Division of Workmen's Compensation of the Department of Labor and Industry for benefits granted under Section 92-704.1, R.C.M. 1947."

Page No. 912, 966, 980, 990, 996, 1030, 1046, 1047, 1053.

- 1131 Introduced by Holmes: A bill for an act entitled: "An act appropriating ninety eight thousand seven hundred sixty-six dollars (\$98,766) from the general fund to the Commission on Human Rights for the payment of operating expenses for the biennium ending June 30, 1975; appropriating available federal and private monies; and providing an effective date."

Page No. 925, 1017, 1036.

- 1132 Introduced by Towe, Bardanouve, Bennetts, Baucus, Huennekens, R. Harper, Holmes, Gunderson, Kimble, Watt: A bill for an act entitled: "An act to create a Blue Ribbon Commission on State Institutions to report the long-range needs of the institutions in Montana and appropriating one hundred thousand dollars (\$100,000) therefore."

Page No. 1014, 1015, 1018.

- 1133 Introduced by Lombardi, Schye, Kendall: A bill for an act entitled: "An act appropriating fifty thousand dollars (\$50,000) to the Legislative Council from the general fund for the drafting and printing of legislative district maps, with the excess to be returned to the general fund; and providing an effective date."

Page No. 971, 1016, 1027, 1029, 1032.

HOUSE RESOLUTIONS

Boldface figures refer to roll calls

- 5 Introduced by Stoltz, Gunderson, Manuel, Johnston, Kendall, Lien, Stephens, Hageman, Baeth, Fleming, Fasbender, Bardanouve: A Resolution of the House of Representatives of the State of Montana directing the President of the United States to reinstate the Rural Electrification Act two percent (2%) interest direct loan program.

Page No. 69, 81.

- 11 Introduced by R. Harper, Bennetts, Kimble: A Resolution of the House of Representatives of the State of Montana requesting that the Legislative Council study construction standards for mobile homes and the problems of enforcing these standards and submit a report of its findings and recommendations to the 1974 Session of the Forty-third Legislative Assembly.

Page No. 76, 81.

- 13 Introduced by R. Harper: A Resolution of the House of Representatives of the State of Montana requesting the Anaconda Company to retain the Columbia Gardens at its present location and operate it for the people of Butte and Montana.

Page No. 49, 62.

- 18 Introduced by Marks: A Resolution of the House of Representatives of the State of Montana granting floor privileges to constitutional convention delegates.

Page No. 280, 286.

- 33 Introduced by Baeth, Shelden, Roberts, Kendall: A Resolution of the House of Representatives of the State of Montana to the Montana Fish and Game Commission, to the Honorable Thomas L. Judge, Governor of the State of Montana, to the Honorable Mike Mansfield and the Honorable Lee Metcalf, Senators from the State of Montana, to the Honorable Richard Shoup and the Honorable John Melcher, Representatives from the State of Montana, to the United States Corps of Army Engineers and to the United States Forest Service urging the immediate construction and operation of a fish hatchery in Lincoln County, Montana.

Page No. 81, 93, 130, 154, 155, 158, 168.

- 38 Introduced by Bardanouve: A Resolution of the House of Representatives of the State of Montana amending the Joint House and Senate Rules to delete the requirement that bills be read by history and section in the Committee of the Whole.

Page No. 23, 294, 299.

- 40 Introduced by Holmes, Cox, Regan, Flynn, Stoltz, Barrett, Forsgren, Gunderson, Fasbender: A Resolution of the House of Representatives of the State of Montana directing the units of the Montana State University System to adopt standardized incentives for faculty research and scholarship.

Page No. 28, 47.

- 44 Introduced by Fasbender: A Resolution of the House of Representatives of the State of Montana to adopt rules to govern its proceedings in addition to the joint rules.

Page No. 9, 13, 15.

- 45 Introduced by Ulmer, Swanberg, Lucas, Tierney: A Resolution of the House of Representatives of the State of Montana directing the House Taxation Committee to commence investigation into the feasibility and value of a multistate tax approach to coal taxation.

Page No. 14, 890, 896, 925, 1003, 1005, 1014.

- 46 Introduced by Hager, Bradley, Brand, Fasbender, Colberg, Swanberg, Haines, Fagg, Ainsworth: A Resolution of the House of Representatives of the State of Montana requesting Congress to undertake a comprehensive investigation of future transportation priorities, particularly as they affect Montana.

Page No. 14, 257, 434, 450, 467, 549, 550, 566.

- 47 Introduced by Kendall, Schye, Glennen, Prevost, Shelden, Baeth: A Resolution of the House of Representatives of the State of Montana directing the Legislative Council to determine effective and equitable methods of limiting the number of bills which can be introduced at one session of the legislature.

Page No. 26, 280, 285, 303, 341, 342, 352.

- 48 Introduced by Brown, Lundgren, Jones, Zimmer, Halvorson, Gunderson, Turner: A Resolution of the House of Representatives of the State of Montana to encourage all junior and senior high schools in the State of Montana to offer courses of instruction to prepare young people for the responsibilities of adulthood and parenthood.

Page No. 106.

- 49 Introduced by Edland: A Resolution of the House of Representatives of the State of Montana requesting housing and related care facilities for the elderly.

Page No. 287, 403, 411, 445, 576, 590.

- 50 Introduced by East, Hubing, Jones, Turner, Marks, Clemow, Bell, Healy, Mehrens, Flynn, Holtz, Tierney, Manuel, Lucas, Ulmer, Selstad, Quilici, Kosena: A Resolution of the House of Representatives of the State of Montana recommending the appointment of the Employment Security Division, Montana State Department of Labor and Industry by the Governor of the State of Montana for the purpose of administering the Comprehensive Employment and Training Act of 1973.

Page No. 287, 624, 641, 674, 702, 705.

- 51 Introduced by Edland, Kolstad: A Resolution of the House of Representatives of the State of Montana requesting the Committee on Priorities to assign to the appropriate standing committee a study concerning the effects of prohibiting and controlling ownership and use of agricultural land in Montana by corporations and other "non-agricultural" entities and to have it report its findings and recommendations to the First Regular Session of the Forty-fourth Legislature.

Page No. 316, 439, 472, 494, 576, 590.

- 52 Introduced by House Taxation Committee: A Resolution of the House of

Representatives of the State of Montana requesting the Department of Revenue to make a study of factors involved in achieving more uniform treatment of public and private pension, annuity and similar type plans under the Montana income tax laws and in conforming Montana law more closely to federal law in the taxation treatment of such plans, and to recommend possible legislation to the next regular session of the Montana legislature.

Page No. 316, 462, 472, 517, 652, 653, 677.

- 53 Introduced by Seifert: A Resolution of the House of Representatives of the State of Montana relative to studying the possibility of constructing an areawide sewage treatment system for all the communities surrounding Flathead Lake, requesting the Governor to take certain actions under the Federal Water Quality Act of 1972, requesting the Committee on Priorities to assign the appropriate standing committee to study statutory provisions relative to regional sewage treatment systems, and requesting that the affected units of local government be consulted and participate in such studies.

Page No. 316, 385, 397, 428, 450, 451, 461.

- 54 Introduced by Greely, Lombardi: A Resolution of the House of Representatives of the State of Montana transmitting recommendations to the Districting and Apportionment Commission regarding its plan as required by Article V, Section 14, of the Montana Constitution.

Page No. 340, 343, 362, 364.

- 55 Introduced by Brand, Laas, Marbut, Fasbender, Fagg: A Resolution of the House of Representatives of the State of Montana requesting the Civil Aeronautics Board of the Department of Transportation to establish regulations which would provide for continued air service during periods when an airline providing sole service is shutdown; and requesting the Montana Congressional Delegation to support H.R. 3282 and S. 1665, bills which would abolish mutual aid pacts among airlines.

Page No. 388, 789, 794, 821, 824, 885, 886, 896.

- 56 Introduced by H. Harper, Bennetts, McKittrick, R. Harper, Brown, Hager, Holmes: A Resolution of the House of Representatives of the State of Montana requesting the Governor to proclaim April 30, 1974, as a national day for humiliation, fasting and prayer.

Page No. 542, 695, 705, 711, 713, 739, 751.

- 57 Introduced by State Administration Committee: A Resolution of the House of Representatives of the State of Montana directing the Montana Arts Council to commission a statue of Jeannette Rankin for placement in the rotunda of the State Capitol.

Page No. 603, 704, 705, 711, 752, 753, 758.

- 58 Introduced by Kosena, R. Harper, Mehrens, Driscoll, Quilici: A Resolution of the House of Representatives of the State of Montana urging self-regulation within the private employment agency business.

Page No. 603, 706, 715, 739, 766, 773.

- 59 Introduced by Brand, Hager, Warfield, Yardley: A Resolution of the House of Representatives of the State of Montana urging federal agencies to secure a two (2) year moratorium on the abandonment of branch rail lines in Montana.

Page No. 629.

- 60 Introduced by Edland, Lynch, Norman: A Resolution of the House of Representatives of the State of Montana requesting the Forty-third Legislative Assembly and all state agencies to salvage for recycling used paper wherever feasible.

Page No. 647, 808, 815, 846, 885, 886, 896.

- 61 Introduced by Fleming, Edland, Stephens, Galt, Ellerd, Johnston, Gunderson, Hageman, Cotton, Smith, Mann, Staigmiller, Lund, Hager, Clemow, Prevost, Brand: A Resolution of the House of Representatives of the State of Montana requesting the United States Congress to temporarily suspend pertinent provisions of the Jones Act in order to increase the supplies of ammonia or nitrogen for use in fertilizer.

Page No. 672, 695, 705, 711, 752, 753, 758.

- 62 Introduced by Fasbender, Mann, Gunderson: A Resolution of the House of Representatives of the State of Montana requesting the Department of Business Regulation to study the feasibility of a state-operated milk quality testing program and to report its findings to the House of Representatives in 1975.

Page No. 673, 861, 868, 903, 1002, 1005, 1014.

- 63 Introduced by Cox, Lucas: A Resolution of the House of Representatives of the State of Montana declaring February 27, 1974, "Yellowstone County Taxpayers' Appreciation Day" and calling for appropriate recognition.

Page No. 691, 860, 891.

- 64 Introduced by Watt, Ulmer: A Resolution of the House of Representatives of the State of Montana requesting the Committee on Priorities to assign the appropriate standing committees to study the taxation of moneys and solvent credits.

Page No. 698.

- 65 Introduced by Norman, Tierney, Kimble, Fleming, Brand, Yardley, Towe, Fagg, Galt, R. Harper, Stephens, Driscoll, Huennekens, Schye, Forsgren, Hager, Shelden, Hodges, McKittrick, Baeth, Staigmiller, Watt, Baucus, Ellerd: A Resolution of the House of Representatives of the State of Montana directing the Legislative Audit Committee of the Senate and House of Representatives of the State of Montana to make available to this session of the legislature on or before the forty-eighth day of this session, a report of the investigation of the Workmen's Compensation Division of the Department of Labor and Industry.

Page No. 732, 861, 892.

- 66 Introduced by Haines, Turner, Lundgren, Jones, Brown: A Resolution of the House of Representatives of the State of Montana memorializing Fred Whiteside and directing the Montana Arts Council to commission a statue of Whiteside.

Page No. 732, 887, 896, 925, 1025, 1026, 1027, 1047.

- 67 Introduced by Halvorson, Kimble, Fleming, Burnett: A Resolution of the House of Representatives of the State of Montana urging Congress to build an interpretive center at the Bison Range at Moiese, Montana.

Page No. 761, 816, 830, 846, 896, 914, 915, 917.

- 68 Introduced by R. Harper, Staigmiller, Hodges, Mehrens, Quilici, Stoltz,

Fleming, Gunderson, McKittrick, Kosena, Lee, Greely, Regan, Holmes, Manuel, Stephens, Murphy, Laas, Cotton, Hageman, Kimble, Baeth, Shelden, Lombardi, Healy, Menahan, Lynch, Driscoll, Colberg, Towe: A Resolution of the House of Representatives of the State of Montana requesting the national Cost of Living Council to do a cost of living comparison, especially relating to food and rent prices, among Helena and various other cities for the period of three (3) months prior to the convening of the Legislature, during the Legislature, and for the period three (3) months after the adjournment of the Legislature.

Page No. 761, 861, 892.

- 69 Introduced by Clemow, Jones, Marks, Smith, East, Yardley, Menahan, Bell, Aageson, Campbell, Lucas, Halvorson, Burnett, Hubing, Lien, Johnston, Forsgren, Lynch, Tierney, Castles, Kimble, Kolstad, Haines, Mann, Watt, Ulmer: A Resolution of the House of Representatives of the State of Montana appointing a select committee to recommend protective measures for the paintings in the Capitol.

Page No. 779, 861, 868, 904, 1002, 1005, 1014.

- 70 Introduced by Murphy, Kolstad, Laas: A Resolution of the House of Representatives of the State of Montana requesting the Federal Power Commission to conduct the hearings concerning the expansion of the Colorado Interstate Gas Company activities into the Bearpaw Mountain Area (Docket No. CP 73-340) in a convenient location in Montana.

Page No. 779, 830, 840, 872, 944, 962.

- 71 Introduced by Bell, Marks, Lynch, Quilici: A Resolution of the House of Representatives of the State of Montana urging Congress to approve H.R. 12260, calling for a suspension of the requirement of annual assessment work on mining claims.

Page No. 821, 841, 868, 904, 1002, 1005, 1014.

- 72 Introduced by Prevost, Schepens, Kvaalen, Olson, Manuel, Stephens, Fleming, Lien, Jacobsen: A Resolution of the House of Representatives of the State of Montana requesting the United States Congress to investigate and take action to limit the overseas export of nitrogen and phosphatic fertilizers produced in the United States; inventory available domestic fertilizer supplies and demand; implement an equitable allocation program of existing supplies to states.

Page No. 821, 964, 967, 990, 1026, 1027, 1047.

- 73 Introduced by Committee on Taxation: A Resolution of the House of Representatives of the State of Montana requesting the Department of Intergovernmental Relations or the Department of Planning and Community Development, if it is created, in cooperation with the Department of Revenue to explore ways in which rural counties, school districts and communities can be assisted in meeting the increase in local governmental services required in areas where major industrial or commercial development is taking place or is about to take place, and to obtain such federal and other funds as may be available for such a study or for assistance; and requesting the Governor to assist in the obtaining of federal and other funds.

Page No. 821, 889, 896, 926, 1004, 1005, 1014.

- 74 Introduced by Barrett, Asbjornson: A Resolution of the House of Representatives of the State of Montana concerning disposal of hazardous wastes.

Page No. 845, 945, 952, 966, 1005, 1014.

- 75 Introduced by Cotton, Murphy, Galt, Clemow, Smith, Jacobsen, Walborn,

Staigmilller, R. Harper, Fleming, Aageson, Gunderson, Kolstad, Stephens, Stoltz, Lien: A Resolution of the House of Representatives of the State of Montana directing the Montana Department of Agriculture and the Department of Livestock in cooperation with general farm and ranch organizations and commodity groups to prepare and provide data and information to the public concerning the relationship between the amount agriculture received and the final cost to the consumers.

Page No. 845, 964, 967, 990, 1042, 1046, 1047.

- 76 Introduced by Gunderson, Stephens, Kolstad, Edland, Lien, Brown, Hageman, Cotton, Kimble, Laas, Murphy: A Resolution of the House of Representatives of the State of Montana requesting the Committee on Priorities to assign the Legislative Council to study custom combining taxation and fees.

Page No. 866, 964, 967, 990, 1044, 1046, 1047.

- 77 Introduced by Gunderson, Fasbender, Towe, Fagg, Hager, Warfield, Stoltz: A Resolution of the House of Representatives of the State of Montana requesting the Legislative Council staff to work with county election officials in providing the United States Census Bureau with information and advice for the creation of census enumeration districts prior to each federal population census.

Page No. 866, 887, 896, 926, 1004, 1005, 1014.

- 78 Introduced by Towe, Yardley, Roberts, Marbut, Brown, Bell, Warfield, Baeth, McKittrick, Lucas, R. Harper: A Resolution of the House of Representatives of the State of Montana requesting the Architecture and Engineering Bureau of the Department of Administration to make a study of the present system of selecting architects, engineers, planners and similar professionals for state contracts and to recommend changes in the system.

Page No. 866, 887, 896, 904, 1025, 1026, 1027, 1047.

- 79 Introduced by Towe, Yardley, Roberts, Marbut, Brown, Warfield, Baeth, McKittrick, Lucas, R. Harper: A Resolution of the House of Representatives of the State of Montana requesting the Priorities Committee to direct the appropriate standing committee to conduct a study of the present system by which non-bid contracts to perform professional services for the State of Montana are entered into and to make recommendations for improving that system to the next session of the Montana Legislature.

Page No. 887, 896, 904, 1024, 1026, 1027, 1047.

- 80 Introduced by Healy, Lombardi, et al: A Resolution of the House of Representatives to the State of Montana requesting the Division of Workmen's Compensation to conduct a study of the possibility of granting silicosis benefits to all surviving spouses of deceased individuals who have received silicosis benefits.

Page No. 871, 885, 966, 980, 994, 1042, 1046, 1047.

- 81 Introduced by Turner, Brown, Lundgren, Lynch, Jones, R. Harper, H. Harper, Bennetts, Quilici, Bell, Lee, Castles, Lombardi, Campbell, Healy: A Resolution of the House of Representatives of the State of Montana concerning the inequities that exist in the cost of living raises granted state employees.

Page No. 938.

- 82 Introduced by Bell, Healy, Castles, Johnston, Lynch, Lee, Campbell, Quilici,

Lombardi, Holmes, Aageson, Lund, Holtz, Tierney, Turner, Ellerd, Menahan, H. Harper: A Resolution of the House of Representatives of the State of Montana requesting the Division of Workmen's Compensation of the Department of Labor and Industry to compile a detailed study of the number and ages of unmarried spouses of deceased silicotics still residing in Montana, and to prepare a cost estimate for continuing silicotic benefits to those spouses.

Page No. 938, 966, 980, 995, 1046, 1047.

- 83 Introduced by Gunderson, Shelden, Kendall, Baeth, Stoltz, Warfield: A Resolution of the House of Representatives of the State of Montana requesting the Legislative Council to conduct a study of the rising costs of education, most particularly school administration costs and what effect the state's accreditation standards have on such rising costs.

Page No. 942, 991, 1005, 1015, 1043, 1046, 1047.

- 84 Introduced by Edland, Ulmer, Watt, Kimble, Kolstad, Tierney, Towe, Roberts, Lundgren, Swanberg, Yardley, Stephens: A Resolution of the House of Representatives of the State of Montana requesting the Committee on Priorities to assign the appropriate standing committees to study the taxation of new industrial facilities.

Page No. 942, 981, 1005, 1015, 1044, 1046, 1047.

- 85 Introduced by Edland, Greely, Turner, Lien, Gunderson, R. Harper, Hodges: A Resolution of the House of Representatives of the State of Montana requesting the Committee on Priorities to assign the appropriate standing committees to study the liquor laws for the purpose generally updating and revising such laws.

Page No. 942, 991, 1005, 1015, 1044, 1046, 1047.

- 86 Introduced by R. Harper, Baucus, Colberg: A Resolution of the House of Representatives of the State of Montana requesting the Department of Intergovernmental Relations to study the feasibility of reducing mass transit fares for the elderly and persons on low incomes.

Page No. 948, 1017, 1029, 1034, 1045, 1050.

- 87 Introduced by Towe, Greely, Yardley, Bennetts, Marbut, H. Harper, Brown: A Resolution of the House of Representatives of the state of Montana requesting the Priorities Committee to direct the appropriate standing committee to conduct a study of Article 2, Sections 8, 9, and 10 (right to participate, right to know, and right of privacy) and the respective bills presented in the 1974 session for implementing said provisions and to make recommendations for presentation to the next session of the Montana Legislature.

Page No. 948, 992, 1005, 1015, 1045, 1046, 1047.

- 88 Introduced by Lucas, Fasbender: A Resolution of the House of Representatives of the State of Montana informing the Montana Congressional Delegation and appropriate federal agencies, of the interest of Montana in long-range comprehensive planning for the development of energy and other resources.

Page No. 965, 1044, 1046, 1047.

- 89 Introduced by Lund, Prevost: A Resolution of the House of Representatives of the State of Montana requesting the Committee on Priorities to assign the the appropriate standing committee a study of the problems relating to state institutions and their employees and have it report its findings to the First Regular Session of the Forty-fourth Legislature.

Page No. 990, 1040, 1050, 1051, 1052.

- 90 Introduced by Bennetts, Marbut, Lynch: A Resolution of the House of Representatives of the State of Montana expressing recognition of the fact that in order to fully respect the fine balance that exists between the protection of individual rights and the recognition of compelling state interest renewed effort must be made on the part of all responsible governmental authorities to review laws that relate to individual rights.

Page No. 990.

- 91 Introduced by Bardanouve: A Resolution of the House of Representatives of the State of Montana requesting a joint study to determine methods of increasing efficiency in the operation of the Legislature.

Page No. 990, 1040, 1050, 1051, 1052.

- 92 Introduced by Committee on Judiciary: A Resolution of the House of Representatives of the State of Montana requesting the Committee on Priorities to consider requesting a joint standing committee be assigned the study of the problems involved in existing mental commitment procedures in Montana, and report its findings to the First Session of the Forty-fourth Legislature with draft legislation.

Page No. 994, 1037, 1045, 1046, 1047.

- 93 Introduced by Ulmer, Halvorson, Tierney: A resolution of the House of Representatives of the State of Montana expressing the concern of the House of Representatives with the problem of devising an adequate and equitable taxation program for the taxation on coal and other fossil fuels; requesting the Committee on Priorities to direct the appropriate standing committee to conduct a study of the taxation of the coal and other fossil fuel industries and to make recommendations to the next session of the Montana Legislature.

Page No. 1039, 1050, 1051, 1052.

HOUSE JOINT RESOLUTIONS

Bold face figures refer to roll calls

- 4 Introduced by Regan, McKittrick, Kolstad, Halvorson, Castles, H. Harper, Bennetts, Colberg, Yardley, Flynn, Kendall, Glennen, Stoltz, Cox, Baucus, Hager, Bradley, Brown, Gerke, Murphy, Hodges, Lynch, Jones, Tierney, Schepens, Towe, Lombardi, Greely, Schye, Bardanouve, R. Harper, Haines, Kosena: A Joint Resolution of the Senate and the House of Representatives of the State of Montana ratifying the proposed amendment to the Constitution of the United States relating to equal rights on account of sex.

Page No. 50, 53, 66, 87, 137, 149, 150, 155, 182, 201.

- 6 Introduced by Hodges, Kimble, Towe, Bradley, Greely, Baucus, Lynch, Shelden, Tierney, Roberts, Baeth, Kosena, Lombardi, Healy, Gunderson, Watt, Holmes, Jacobsen, Laas, Hageman, Cotton, Turman, Zimmer, Fasbender, Bennetts, R. Harper, Hall, Gerke, H. Harper, Barrett, Halvorson, Norman, Johnston, Colberg, Staigmiller, Edland, Huennekens, Mehrens, Kendall, Murphy: A Joint Resolution of the Senate and House of Representatives of the State of Montana requesting the United States Senate and the United States House of Representatives to continue their efforts to end the conflict in Indochina by stopping the funding of the Indochina conflict and by reassigning these funds to undertake a massive public works program to solve our domestic, social, environmental, and energy problems.

Page No. 307, 313.

- 8 Introduced by Tierney, Murphy, Kessner, H. Harper, Turman: A Joint Resolution of the Senate and the House of Representatives of the State of Montana commending the establishment and maintenance of the Sun River Game Preserve.

Page No. 257.

- 23 Introduced by Ulmer, Marbut: A Joint Resolution of the Senate and the House of Representatives of the State of Montana requesting the Department of Administration to give priority in making purchases to products produced by handicapped persons in Montana and to provide a three percent (3%) price advantage to such products.

Page No. 256, 261.

- 38 Introduced by R. Harper, Fleming, Regan, Brand, Lynch, Murphy, McKittrick, Mehrens, Kolstad, Quilici, Cox, Norman, Healy, Driscoll, Menahan, Lockrem, Fagg, Ulmer, Schepens, Lee, Baeth, Zimmer, Lucas, Fasbender, Edland, Laas, Kosena, Stephens, Stoltz, Jacobsen, Aageson, Staigmiller, Glennen, Prevost, Johnston, Hall, Jones, Lombardi, Nichols, Barrett: A Joint Resolution of the Senate and the House of Representatives of the State of Montana requesting Montana's Congressional Delegation to sponsor an amendment to the U. S. Constitution guaranteeing the right to life.

Page No. 171, 182, 196, 200, 223, 645, 677, 680.

- 39 Introduced by Bennetts, Fasbender, Healy, Haines, Lynch, Lombardi, Lee,

Quilici, Shelden, Baeth, Brown, Lundgren, H. Harper: A Joint Resolution of the Senate and the House of Representatives of the State of Montana requesting passage of a Congressional bill relating to vocational training for potential parolees from state penal institutions.

Page No. 48, 66, 75, 78, 108, 798, 829, 830, 840.

- 40 Introduced by Joint Rules Committee: A Joint Resolution of the Senate and the House of Representatives of the State of Montana to adopt joint rules to govern its proceedings.

Page No. 9.

- 41 Introduced by Brown, Haines, Castles: A Joint Resolution of the Senate and the House of Representatives of the State of Montana to commission a memorial to Jeannette Rankin for the State Capitol.

Page No. 9, 270, 283.

- 42 Introduced by Campbell: A Joint Resolution of the Senate and the House of Representatives of the State of Montana to the Congress of the United States concerning the great need for improved rail passenger service; and for the re-establishment of the railway mail service.

Page No. 9, 307, 321, 332, 351, 361, 480, 522, 523, 532.

- 43 Introduced by Bradley, Brand, Watt, Huennekens, Towe: A Joint Resolution of the Senate and the House of Representatives of the State of Montana repealing Rule 16.-2.6(6)-S6050 of the Montana Administrative Code, concerning the transportation of dead bodies; and providing an effective date.

Page No. 26, 51, 617, 641, 651, 667, 777.

- 44 Introduced by Rolfe, Kolstad, Smith, Hubing, Forsgren, Galt, Burnett, Walborn, Seifert, Mehrens, Ellerd, Kessner, Roberts, Baeth, Manuel, Huennekens, Staigmiller, Hodges, Aageson, Bell, Marks, Jones, Campbell, Tierney, Holtz, Brown, Jacobsen, Lien, Warfield, Lockrem, Hager, Mercer, Cox, Glennen, Asbjornson, Barrett, Lundgren, Selstad, Healy, Menahan, Flynn: A Joint Resolution of the Senate and the House of Representatives of the State of Montana declaring the Montana State Legislature's unalterable opposition to registration and confiscation of firearms.

Page No. 35, 160, 168, 176, 181, 208, 480, 522, 523, 532.

- 45 Introduced by Schepens, Huennekens, Lucas, Prevost: A Joint Resolution of the Senate and the House of Representatives of the State of Montana directing the Department of Natural Resources and Conservation to undertake studies of the groundwater resources of Montana.

Page No. 52.

- 46 Introduced by Ulmer, Lucas, Kvaalen, Burnett: A Joint Resolution of the Senate and the House of Representatives of the State of Montana submitting to the qualified electors of Montana an amendment to Article V, Section 6, of the Constitution of Montana providing that the legislature meet once a biennium in regular session.

Page No. 65, 284, 396, 458.

- 47 Introduced by Marbut, Norman, Brand, Olson: A Joint Resolution of the Senate and the House of Representatives of the State of Montana direct-

ing the Legislative Council to study the feasibility of integrating into one state agency those administrative functions of the state government relating to human resources.

Page No. 74, 87, 456, 460, 494, 508, **546**, 1011, 1021, **1022**, 1045, 1046, 1047.

- 48 Introduced by Hodges, Fleming, Norman, Baucus, Watt, Bennetts, Baeth, Kendall, Roberts, Gunderson, Towe, Stoltz, Staigmilller, Kimble, Shelden, R. Harper, Greely, Holmes, Colberg: A Joint Resolution of the Senate and the House of Representatives of the State of Montana to the Secretary of Defense of the United States and to the Montana Congressional Delegation urging that the proposed Minuteman launchings from Montana be cancelled.

Page No. 90, 307, 321, 333, **863**.

- 49 Introduced by R. Harper, Kimble, Lynch, Quilici, Gunderson, Hodges, Baucus, Fleming, Stoltz, Murphy, Lee, Lombardi, Healy, Mehrens, Menahan: A Joint Resolution of the Senate and the House of Representatives of the State of Montana requesting the Legislative Council to study the State Auditor's procedures and practices concerning the regulation of insurance companies that underwrite and adjust workmen's compensation insurance.

Page No. 90, 287, 530, **540**.

- 50 Introduced by Murphy, Kvaalen, Laas, Aageson, Kolstad, Smith: A Joint Resolution of the Senate and the House of Representatives of the State of Montana submitting to the qualified voters of the state an amendment to Article VIII of the 1972 Montana Constitution limiting the rate of taxation on real and personal property for state purposes to two (2) mills on each dollar of valuation.

Page No. 106.

- 51 Introduced by McKittrick, Lucas, Greely, Lynch, Turner: A Joint Resolution of the Senate and the House of Representatives of the State of Montana requesting the Committee on Priorities to assign the Legislative Council to conduct a study of the premium rate structure, especially under Plan Two (2), of the Workmen's Compensation Act and to have it report its findings and recommendations to the First Regular Session of the Forty-fourth Legislature.

Page No. 106, 434, 450, 467, 532, **575**, 798, 860, 868.

- 52 Introduced by Tierney, Bennetts, Norman, Aageson, Lynch, H. Harper: A Joint Resolution of the Senate and the House of Representatives of the State of Montana commending and supporting the Supplemental Security Income Program and commending the American National Red Cross for their participation in the program.

Page No. 106, 340, 341, 359, 363, **393**, 709, 752, 753, 758, 860.

- 53 Introduced by Aageson, Tierney, Gunderson, Stephens, Huennekens, H. Harper, Colberg, Kolstad, Murphy, Holtz, Jacobsen, Manuel: A Joint Resolution of the Senate and the House of Representatives of the State of Montana recognizing the potential impact of summer weather modification on Montana's water resources, environment, agricultural industry and economy, and endorsing research efforts to better understand this technology and its impacts.

Page No. 107, 349, 352, 373, 378, **407**, 759, 805, 815.

- 54 Introduced by Colberg, Bardanouve, Fasbender, Walborn: A Joint Resolution

of the Senate and the House of Representatives of the State of Montana informing the Montana Congressional Delegation and appropriate federal agencies that coal-based industrial demands for waters of the Yellowstone Basin are increasing and that the consequences of large-scale consumptive withdrawals are poorly understood and that federal support for detailed field investigations is needed and in order.

Page No. 107, 456, 481, 494, 523, **546**, 838, 848, **880**, 1003, 1005, 1014.

- 55 Introduced by Bradley, Kimble, R. Harper: A Joint Resolution of the Senate and the House of Representatives of the State of Montana directing the Montana Historical Society to conduct a study of the property in Helena formerly known as Dorothy's Rooms and to evaluate ways of preserving such property as a historic landmark.

Page No. 107, 270, **283**.

- 56 Introduced by Warfield, Kolstad, Rolfe, Galt, Murphy, Johnston, Kvaalen, Gunderson, Baeth, Brand, Tierney, Barrett, Lundgren, Stoltz, Cox, Edland, Aageson, Hubing, Lockrem: A Joint Resolution of the Senate and the House of Representatives of the State of Montana urging Congress to rescind the Daylight Savings Time law and requesting the Department of Transportation to exempt Montana from Daylight Savings Time.

Page No. 127, 340, 347, 359, 363, **393**, 710, 739, **750**, 766, 773.

- 57 Introduced by Bennetts, H. Harper, Castles, Murphy, Baucus, R. Harper, Lynch, Stoltz, Staigmiller, Edland, Campbell, Clemow, Jones, Marks, Watt, Laas, Bradley, Lien, Halvorson, Fagg, Quilici, Tierney, Cotton, Jacobsen, Norman: A Joint Resolution of the Senate and the House of Representatives of the State of Montana to preserve the historical site of Marysvillé, Montana.

Page No. 127, 349, 363, 390, 397, **429**, 796.

- 58 Introduced by Kosena: A Joint Resolution of the Senate and the House of Representatives of the State of Montana directing the Board of Natural Resources and Conservation to abandon the Daly Ditch Irrigation Project.

Page No. 127, 504, 532, 574, 589, **639**, 796.

- 59 Introduced by Holmes, Gunderson, Regan, Stoltz, R. Harper, Baucus, Towe, Kimble, Bennetts: A Joint Resolution of the Senate and the House of Representatives of the State of Montana instructing the Board of Public Education and the Board of Regents of Higher Education to devise a master plan for enriching the teacher training process in the area of ethnic studies.

Page No. 127, 216, 257, 276, 285, **305**, 797, 823, **858**, 934, 935, 936.

- 60 Introduced by Holmes, Gunderson, Regan, Towe, Bennetts, Lund, Marks, Fagg, Huennekens, Kimble: A Joint Resolution of the Senate and the House of Representatives of the State of Montana instructing the Board of Public Education and the Board of Higher Education to devise a master plan for enriching the background of all public school teachers in American Indian culture.

Page No. 127, 217, 225, 264, 271, **292**, 531, 640, 641.

- 61 Introduced by Burnett, Kolstad, Turner, Aageson, Stephens, Quilici, Holtz: A Joint Resolution of the Senate and the House of Representatives of the State of Montana requesting the Committee on Priorities to assign a study to the appropriate standing committee concerning the problem

of equitably funding programs imposed on local government agencies by the federal government, the state legislature, any other state agency, or the courts, and to have it report its findings, recommendations, and draft legislation to the 1975 Session of the Legislature.

Page No. 128.

- 62 Introduced by Baucus, Bennetts, Regan, Driscoll: A Joint Resolution of the Senate and the House of Representatives of the State of Montana directing select committees of the Senate and the House of Representatives to study the existing laws of the State of Montana in order to determine what changes should be made in these laws in order to achieve the equality of the sexes under the laws of Montana, and to report their findings and their proposals for changes in the law to the 1975 Session of the Forty-fourth Montana Legislature.

Page No. 128, 435, 450, 467, 523, 547, 842, 873, 884, 961, 980, 981, 991.

- 63 Introduced by Lien, Jacobsen, Stephens: A Joint Resolution of the Senate and the House of Representatives of the State of Montana urging the United States Department of Interior to consider alternate ways of marking abandoned oil and gas wells.

Page No. 128, 151, 274, 279, 290, 295, 321, 732, 752, 758.

- 64 Introduced by Kosena, Bardanouve, Menahan, Mehrens, Lee, Quilici, Lynch, Baeth, Flynn, Kendall, Brand, Schepens, Asbjornson, Cox, Mercer, Hager, Galt, Ellerd, Lockrem, Kvaalen, Shelden, Prevost, Driscoll, Fasbender, Hall, Towe, Seifert, Haines, Marbut, Glennen, Warfield, Rolfe, R. Harper, Huennekens, Regan, Johnston, Stephens, Stoltz, Turman, Fagg, Ainsworth, Mann: A Joint Resolution of the Senate and the House of Representatives of the State of Montana authorizing a referendum of the elementary school children of Montana to designate an official state insect.

Page No. 128.

- 65 Introduced by Rolfe, Lien, Kolstad, Lucas, Quilici, Forsgren: A Joint Resolution of the Senate and the House of Representatives of the State of Montana requesting the federal government to postpone further automobile air pollution standards; to consider reducing automobile pollution control equipment as an alternative to a fifty-five (55) mile per hour speed limit; and encouraging the citizens of Montana to make mechanical modifications on their motor vehicles which will result in better gasoline mileage.

Page No. 128, 381, 384, 404.

- 66 Introduced by Huennekens, Towe, Marbut: A Joint Resolution of the Senate and the House of Representatives of the State of Montana requesting that the Governor appoint a blue ribbon committee to study the future direction, scope, and financial requirements in the field of mental services that the State of Montana provides, and should provide, to the citizens of the state.

Page No. 128, 403, 411, 445, 497, 899, 979, 980, 981, 991.

- 67 Introduced by Marbut, Driscoll: A Joint Resolution of the Senate and the House of Representatives of the State of Montana requesting the Committee on Priorities to assign a study concerning coordinating and providing child development programs to the appropriate standing committee and to have it report its findings and recommendations to the First Regular Session of the Forty-fourth Legislature.

Page No. 128, 381, 397, 428, 436, 471, 1011, 1026, 1027, 1047.

- 68 Introduced by Menahan, Quilici, Lee, Mehrens, Lombardi, Healy, Kosena, Huennekens, Lynch: A Joint Resolution of the Senate and the House of Representatives of the State of Montana urging more vigorous enforcement of federal policies guaranteeing the right to hunt on lands leased by the Bureau of Land Management.

Page No. 128, 356, 363, 390, 397, 430, 690.

- 69 Introduced by Greely: A Joint Resolution of the Senate and the House of Representatives of the State of Montana repealing Rule 2-3.34(10)-S3450 of the Montana Administrative Code, concerning limitation of political activities, and providing an effective date.

Page No. 128, 475, 481, 573, 574.

- 70 Introduced by Baucus, Towe: A Joint Resolution of the Senate and the House of Representatives of the State of Montana directing the Governor to appoint a special commission to examine the economic growth in and upon Montana, to evaluate such growth and to establish goals taking into consideration all aspects of Montana's environment, and to make recommendations on how the state can best attain these goals.

Page No. 129, 377, 383.

- 71 Introduced by Regan: A Joint Resolution of the Senate and the House of Representatives of the State of Montana amending Joint Rule 7-8 to require a sanction if one house refuses or fails to appoint a conference committee.

Page No. 129, 294, 300.

- 72 Introduced by Regan, Castles, Halvorson, Holmes, Bradley, Stoltz, Bennetts, Greely, McKittrick, Clemow, Kimble, R. Harper, Murphy, Laas, Baucus, Cotton, Hodges, Gunderson, Towe, Huennekens, Fasbender, Yardley, Stephens, Manuel, Johnston, Shelden, Kendall, Schepens, Driscoll, Bardanouve, Jones, Hager, Watt, H. Harper, Turman, Barrett: A Joint Resolution of the Senate and the House of Representatives of the State of Montana ratifying the proposed amendment to the Constitution of the United States relating to equal rights on account of sex.

Page No. 129, 139, 160.

- 73 Introduced by Brown, Swanberg, Bradley, Greely, Hager, Driscoll, McKittrick, Warfield: A Joint Resolution of the Senate and the House of Representatives of the State of Montana calling for thorough economic analysis in environmental impact statements and directing the Environmental Quality Council to elicit such analysis from state agencies.

Page No. 129, 618, 620, 651, 667, 902, 926, 956, 977, 1044, 1046, 1047.

- 74 Introduced by Kimble, Towe, Stoltz, Bennetts, R. Harper, Huennekens, Holmes, Lien, Murphy: A Joint Resolution of the Senate and the House of Representatives of the State of Montana directing the Congress of the United States to withdraw favored trade status from the Soviet Union if the Soviet Government takes any future action against Alexander I. Solzhenitsyn.

Page No. 129, 435, 467, 480, 492.

- 75 Introduced by Stephens, Gunderson, Manuel, Hager, Johnston, Stoltz, Fasbender, Fleming, R. Harper, Aageson, Lien, Jacobsen, Barrett, Kimble, Clemow, Smith, Fagg, Lynch, Edland, Hageman, Galt, Murphy, Halvorson: A Joint Resolution of the Senate and the House of Repre-

sentatives of the State of Montana requesting the Departments of Agriculture, Livestock, and Administration to prepare a construction project request for a proposed new agriculture-livestock building.

Page No. 129, 652, 654, **668**, 798, 829, 830, 840.

- 76 Introduced by R. Harper, Lynch, Bennetts, Towe, Johnston, Holmes, Manuel, Edland, Stephens, Murphy, Clemow, H. Harper, Hodges, Gunderson, Fleming, Stoltz, Bradley, Baucus, Shelden, McKittrick, Staigmiller, Swanberg, Huennkens, Driscoll, Marbut, Fagg, Brown, Kimble: A Joint Resolution of the Senate and the House of Representatives of the State of Montana calling for a task force to study and develop consumer education programs for Montana schools.

Page No. 129.

- 77 Introduced by Kosena, Bardanouve, Driscoll: A Joint Resolution of the Senate and the House of Representatives of the State of Montana requesting the Priorities Committee to designate and appropriate standing subcommittee to make a comprehensive study of Montana's fire protection laws.

Page No. 129, 385, 397, 428, 436, **471**, 899, 944, 945.

- 78 Introduced by Driscoll, Bardanouve, Kosena: A Joint Resolution of the Senate and the House of Representatives of the State of Montana requesting the Priorities Committee to designate an appropriate standing subcommittee to make a comprehensive study of Montana's timber taxation structure.

Page No. 129.

- 79 Introduced by Ellerd, Galt, Kolstad, Smith: A Joint Resolution of the House of Representatives of the State of Montana requesting the Montana Congressional Delegation to streamline the federal laws relating to the marketing of livestock.

Page No. 129, 439, 450, 467, 494, 508, **547**, 776, 859, 860, 866, 868.

- 80 Introduced by McKittrick, Fasbender, Mehrens, Bell, Brown: A Joint Resolution of the Senate and the House of Representatives of the State of Montana requesting the Governor of Montana to appoint a committee to study the operation, objectives and financing of inter-school activities in Montana.

Page No. 130, 148, 478, 522, 574, 620, **660**, 838, 886, 896.

- 81 Introduced by Committee on Rules: A Joint Resolution of the Senate and the House of Representatives of the State of Montana amending the Joint Rules to prescribe fees for legislative proceedings.

Page No. 531, 588, 589, 634, 642, 646, **660**, 900, 1003, 1005, 1014.

- 82 Introduced by House Judiciary Committee: A Joint Resolution of the Senate and the House of Representatives of the State of Montana directing the Legislative Council to undertake a study of ethical considerations affecting elected officials and public employees and to propose legislation establishing a code of or codes of ethics for elected officials and public employees, pursuant to the mandate of Article XIII, Section 4, of the Montana Constitution.

Page No. 565, 588, 618, 620, 651, **668**, 798, 828, 830, 840.

SENATE BILLS

Bold face figures refer to roll calls

- 42 Introduced by James, Hall, Lowe: A bill for an act entitled: "An act to amend Section 71-501, R.C.M. 1947, to allow aid to dependent children for a child up to the age of twenty-two (22) years, providing such child is attending school and to make the child of unemployed parents eligible for welfare benefits."

Page No. 515, 808, 821, 849, 921, 1005, 1014.

- 48 Introduced by Siderius, Broeder: A bill for an act entitled: "An act providing for comprehensive procedures for adopting occupational safety and health standards including: procedures for adopting standards; temporary orders and variances; inspections, investigations and recordkeeping; enforcement procedures; contested hearings; judicial review; imminent dangers; advisory councils; a review commission; penalties; repealing Sections 41-1708 through 41-1733, 69-4206 through 69-4211, 69-4213 through 69-4221, R.C.M. 1947; and providing an effective date."

Page No. 262, 263, 841.

- 80 Introduced by McKeon: A bill for an act entitled: "An act to provide consumer protection, no-fault motor vehicle insurance in the State of Montana."

Page No. 420, 441.

- 81 Introduced by McKeon: A bill for an act entitled: "An act to provide freedom of choice, no-fault motor vehicle insurance in the State of Montana."

Page No. 421, 442, 836, 839.

- 112 Introduced by Klindt, Graham, Story, Shea, McOmber: A bill for an act entitled: "An act amending Section 93-9902, R.C.M. 1947; eliminating the problem of subsurface mineral rights being held by one (1) party and the surface rights in another under public uses for purposes of eminent domain."

Page No. 50.

- 240 Introduced by Lynch, Sorensen, Nees, Story, McDonald, McKeon: A bill for an act entitled: "An act establishing a sheriff's retirement system; and providing for the administration and operation thereof."

Page No. 370, 371, 702, 711, 712, 733, 796, 885, 896, 955.

- 264 Introduced by Gilfeather: A bill for an act entitled: "An act to amend Sections 84-301 and 84-302, R.C.M. 1947, to provide, with the exception of class eight, that the first seventeen thousand five hundred dollars (\$17,500) of value on a dwelling actually occupied by the owner or purchaser shall be taxed at twenty percent (20%)."

Page No. 691, 903, 924, 941, 970.

- 266 Introduced by Gilfeather, Mathers: A bill for an act entitled: "An act to amend Sections 84-202 and 84-301, R.C.M. 1947, to exempt from taxa-

tion household goods and personal property used for personal or domestic purposes."

Page No. 691, 889, 904, 924, **931**, 947, 1027, 1047.

- 280 Introduced by Thiessen, McKeon: A bill for an act entitled: "An act authorizing the establishment of municipal electric utilities as agencies and instrumentalities of the State of Montana to purchase, establish, erect, maintain and operate electric light or power plants; furnishing electrical power and energy to residents within the municipality at retail; providing that such municipal electric utilities shall be formed for public purposes and be deemed to be exercising an essential governmental function; specifying the requirements of and procedure for the organization of a municipal electric utility and the establishment of the boundaries thereof; granting municipal electric utilities the authority to issue revenue bonds or notes and authorizing the pledging of the revenues from the systems or plants of such municipal electric utilities and the creation of liens upon the property of such districts to secure their repayment; providing the method and procedure for the issuance and sale of such bonds or notes; permitting the interconnection of the lines of a municipal electric system with other systems within or without the municipality or state, public or private, and to enter into contracts with such other systems; authorizing the exercise of the right of eminent domain and providing the procedure therefor; granting the governing board the right to establish, levy and collect rates and charges for its services and for the sale of electrical power and energy; providing a covenant of the State of Montana not to impair the power of a municipal electric utility to maintain its operation so long as its bonds or notes are outstanding; specifying that the property of a municipal electric utility, the bonds or notes issued thereby, and the income therefrom, shall be exempt from taxation within the State of Montana; providing that the Montana Public Service Commission shall have no jurisdiction over the municipal electric utilities organized under this act or over their rates, charges or operations; requiring a district to conform to safety rules and regulations; and establishing the severability of the provisions of the act."

Page No. 396.

- 282 Introduced by Devine, Moore, Bennett, Lynch, Keenan, Gilfeather, Vainio: A bill for an act entitled: "An act to amend Section 11-1024, R.C.M. 1947, relating to group hospitalization, medical, health, including long-term disability, accident and/or group life insurance contracts or plans for the benefit of public employees and their dependents by increasing the employer contribution thereto."

Page No. 968, 991, **996**, 1048.

- 301 Introduced by Mathers, Cochran: A bill for an act entitled: "An act to amend Section 69-5217, R.C.M. 1947, to clarify the right of hospitals, hospital related facilities and long-term care facilities to establish general rules requiring standards of competency and rules of practice and procedure relating to all persons performing services in the hospital or other such facility; and to repeal Sections 94-3557 and 94-3558, R.C.M. 1947."

Page No. 808, **818**.

- 318 Introduced by Carl, Moritz, Boylan, Lynch, Bollinger, McCallum, Devine: A bill for an act entitled: "An act creating the 'Montana Snowmobile Act of 1973'; providing for registration of snowmobiles; issuance of registration decals; operation of snowmobiles; penalties; administration of the act by the Fish and Game Department; amending Section 84-406, R.C.M. 1947; and repealing Sections 53-1012 through 53-1028, R.C.M. 1947."

Page No. 140, **160**.

- 331 Introduced by Lynch, McKeon, McGowan: A bill for an act entitled: "An act to require each motor vehicle liability policy in this state to provide first party personal injury insurance coverage which is payable without regard to fault."

Page No. 421, 445, 467, 494.

- 347 Introduced by Bollinger, Zody: A bill for an act entitled: "An act amending Section 23-3005, R.C.M. 1947, by providing that registrars' offices must be open from 8 a.m. continuously until 8 p.m. on the last day of registration, including Saturday, Sunday or any legal holiday."

Page No. 387, 388, 695, 707.

- 367 Introduced by Highways and Transportation Committee (by request): A bill for an act entitled: "An act to amend Sections 53-514, 53-515, 53-516, 53-517, 53-518 and 53-519, R.C.M. 1947; to require the transfer of title of state-owned vehicles to the name of the State of Montana; to provide that state agencies pay for all actual costs of using motor vehicles; to regulate the use of privately owned vehicles by state employees; and to require the Department of Highways to submit requisitions for motor vehicle purchases."

Page No. 203, 808, 821, 824, **850**, 921, 924, 981, 994, 995, **1001**, 1012, 1046, 1047.

- 413 Introduced by Turnage, Bertsche: A bill for an act entitled: "An act making lawful the conducting of games of chance commonly known as bingo and raffles; defining terms; providing penalties; and providing an effective date."

Page No. 506.

- 418 Introduced by Harrison: A bill for an act entitled: "An act suspending the status of the Sun River Preserve as a game preserve until July 1, 1976; and providing an effective date."

Page No. 173, 174, 858, 872, 840.

- 434 Introduced by McGowan, Aber, Lowe, McOmber: A bill for an act entitled: "An act amending Sections 66-2601, 66-2602, 66-2604, 66-2608 and 66-2609, R.C.M. 1947; changing some portions of the definition of 'water well'; changing the composition of the Water Well Contractor's Examining Board; increasing requirements for licensing as a water well contractor; and changing bonding provisions."

Page No. 672, 673, 769, 779, **800**, 893, 1027, 1047.

- 440 Introduced by McKeon, Moore: A bill for an act entitled: "An act creating in the Department of Law Enforcement and Public Safety a medical examiner's office and crime laboratory; providing for its administration, duties and function; altering the duties of the coroner; and repealing Sections 16-3401 through 16-3410, 25-236, 95-801, 95-802, 95-810 and 95-814, R.C.M. 1947."

Page No. 218, 219, 809, 818.

- 453 Introduced by Deschamps, Siderius (by request): A bill for an act entitled: "An act for revision of the laws relating to the Department of Military Affairs, and providing that this act is effective upon its passage and approval."

Page No. 287, 288, 571, 635, 674, **681**, 788, 795, 933.

- 459 Introduced by Hazelbaker, McCallum, Deschamps, Rosell: A bill for an act entitled: "An act for the codification and general revision of the laws relating to the Department of Business Regulation, and providing that this act is effective upon its passage and approval."

Page No. 140, 164, **180**, 270, 742, 794, 797, 815, 912, 934, 937, 963.

- 461 Introduced by Siderius, Deschamps, Keenan: A bill for an act entitled: "An act for revision of the laws relating to the Department of Public Service Commission."

Page No. 645, 646, 789, 804, **824**, 900, 1046, 1047.

- 463 Introduced by Lynch: A bill for an act entitled: "An act to amend Section 77-909, R.C.M. 1947, to permit the State Board of Education to waive all tuition and fees for attendance at any of the public units of higher education in Montana by dependents of those who are prisoners of war or missing in action as a result of the conflict in Southeast Asia."

Page No. 425, 442, 444, 643, 674, **681**, 766, 773, 793.

- 465 Introduced by Moore: A bill for an act entitled: "An act amending Section 95-1005, R.C.M. 1947, providing that the Department of Fish and Game and the Department of Law Enforcement and Public Safety bear all costs of prosecution in cases of arrests made by agents of the respective departments."

Page No. 86, 259, 276, **292**, 363, 412, 436, 515.

- 471 Introduced by Sorensen: A bill for an act entitled: "An act amending Section 4-404, R.C.M. 1947, to increase the liquor license fee for cities with a population of ten thousand (10,000) or more from six hundred dollars (\$600) to twenty thousand dollars (\$20,000)."

Page No. 603, 694, 830, 846, **873**, 1005, 1014.

- 473 Introduced by Hazelbaker (by request): A bill for an act entitled: "An act for the codification and general revision of the laws relating to the Department of Highways."

Page No. 401, 402, 425, 426, 774, 804, **824**, 900, 1046, 1047.

- 474 Introduced by Thiessen, Mathers: A bill for an act entitled: "An act amending Section 75-7001, R.C.M. 1947, defining an eligible transportee on a school bus as at least five (5) years of age."

Page No. 235, 591, 635, 674, **682**, 724, 743, 771.

- 476 Introduced by Deschamps, Story, McOmber: A bill for an act entitled: "An act for revision of the laws relating to the Department of Livestock and providing that this act is effective upon its passage and approval."

Page No. 603, 604, 725, 751, **761**, 1046, 1047.

- 478 Introduced by Senate Rules Committee: A bill for an act entitled: "An act amending Section 43-1005, R.C.M. 1947, to remove certain limitations on the right to request a fiscal note on a bill."

Page No. 86, 280, 290, **305**, 364, 378.

- 479 Introduced by Moore: A bill for an act entitled: "An act amending Section 32-21-146, R.C.M. 1947, to establish a decibel noise limit for motorcycles."

Page No. 425, 426, 696, 711, **733**, 796, 885, 896, 955.

- 481 Introduced by Story: A bill for an act entitled: "An act prescribing certain fees to be charged by the Board of Natural Resources and Conservation, and amending Section 89-869, R.C.M. 1947."

Page No. 370, 371, 504, 514.

- 483 Introduced by Gilfeather: A bill for an act entitled: "An act amending Section 39-107, R.C.M. 1947, and repealing Sections 39-118 and 39-119, R.C.M. 1947, to delete the provision for acknowledgements on oath or affirmation of a credible witness."

Page No. 80, 86, 271, 290, **306**, 364, 378.

- 484 Introduced by Moore: A bill for an act entitled: "An act to amend Sections 59-1402 and 59-1404, R.C.M. 1947, to provide for the submission of salary recommendations prior to each first regular session of the biennium; and to amend Section 59-1401, R.C.M. 1947."

Page No. 315, 316, 476, 517, 547, 653, 677, 730.

- 485 Introduced by Gilfeather: A bill for an act entitled: "An act revising the procedures for establishing federations of libraries or regional libraries; and amending Sections 44-131, 44-212, 44-213, 44-214, and 44-215, R.C.M. 1947."

Page No. 645, 646, 725, 751, 837, 1027, 1047.

- 488 Introduced by Bertsche: A bill for an act entitled: "An act amending Sections 79-1012 and 82A-202, R.C.M. 1947, and re-establishing the position of Budget Director within the Office of the Governor; and providing an effective date."

Page No. 148, 149, 504, 517, 547, 653, 677, 730.

- 489 Introduced by Hazelbaker: A bill for an act entitled: "An act amending Section 92-208, R.C.M. 1947, removing the discretion of the Division of Workmen's Compensation to review a corporate officer's election not to be bound; and providing a penalty for false statements."

Page No. 425, 426, 678, 680, **693**, 730, 742, 757, 770, 771, 780, **786**, 799, 885, 896, 933.

- 490 Introduced by Northey: A bill for an act entitled: "An act to amend Section 26-501;1, R.C.M. 1947, relating to the possession and use of raptors by nonresidents."

Page No. 262, 263, 423, 445, 472, 589, 620.

- 491 Introduced by James: A bill for an act entitled: "An act requiring that police officers be at least fifty (50) years old and serve twenty (20) years before they may be placed on the reserve list, and amending Section 11-1821, R.C.M. 1947."

Page No. 163, 385, 404, **430**, 641.

- 492 Introduced by James: A bill for an act entitled: "An act changing the eligibility of firemen for retirement benefits, and amending Sections 11-1925, 11-1926, and 11-1927, R.C.M. 1947."

Page No. 173, 174, 386, 404, **430**, 641.

- 493 Introduced by James: A bill for an act entitled: "An act to appropriate to the Legislative Council the sum of twenty-five thousand dollars

(\$25,000), in order to obtain actuarial valuation of the police officers', firemen's, game wardens', highway patrolmen's and sheriffs' retirement program; and providing an effective date."

Page No. 710, 711, 743, 765, **780**, 935, 936, 1010.

- 495 Introduced by Hazelbaker, Lynch: A bill for an act entitled: "An act requiring insured personal property losses to be computed at the valuations stated in the policy when such valuations affect the premium."

Page No. 287, 288, 694, 699, 713, 776, 830, 840, 933.

- 499 Introduced by James: A bill for an act entitled: "An act authorizing the Board of Nurses to license registered nurses as midwives, and amending Section 66-1012, R.C.M. 1947."

Page No. 300, 301, 696, 711, **734**, 805, 815, 933.

- 500 Introduced by Turnage: A bill for an act entitled: "An act to amend Sections 48-143, 48-146, 48-149, R.C.M. 1947, relating to the age, residence and notice requirements for the issuance of marriage licenses; and repealing Sections 48-118.1 and 48-145, R.C.M. 1947."

Page No. 287, 288, 618, **627**.

- 501 Introduced by Bertsche, Harrison: A bill for an act entitled: "An act revising the statutes governing the operation and financial management of cemeteries, and amending Sections 9-111, 9-128, 9-131, 9-132, 9-227, and 9-921, R.C.M. 1947."

Page No. 315, 316, 671, 680, 692, **699**, 776, 860, 868, 933.

- 502 Introduced by James: A bill for an act entitled: "An act to require that physicians inform the spouse, parent, custodian or guardian of a minor who is pregnant prior to performing an abortion on such minor, and amending Section 69-6102, R.C.M. 1947."

Page No. 203, 809, **819**.

- 503 Introduced by Drake, Bennett, Vainio: A bill for an act entitled: "An act to amend Section 32-21-105.1, R.C.M. 1947, providing a penalty clause."

Page No. 235, 236, 775, 804, **825**, 900, 1005, 1014.

- 504 Introduced by Drake, Bennett, Vainio: A bill for an act entitled: "An act known as the 'Montana Small Business Purchasing Act' authorizing state agencies to set aside specified commodities, equipment or services for bidding by small businesses."

Page No. 342, 755, 765, **780**, 915, 917, 1010.

Introduced by Drake, Bennett, Harrison: A bill for an act entitled: "An act to amend Section 31-144, R.C.M. 1947, providing for suspension of resident's license upon conviction of a traffic offense in another state or the Dominion of Canada."

Page No. 137, 299, 317.

- 506 Introduced by Drake, Bennett, Harrison: A bill for an act entitled: "An act amending Section 32-2150.3, R.C.M. 1947, by removing therefrom the requirement that signs indicating the use of radar be posted."

Page No. 300, 301, 775, 804, **825**, 915, 917, 1010.

- 507 Introduced by Mathers, Nees: A bill for an act entitled: "An act amending

Sections 84-401, 84-437.2, 84-437.3, R.C.M. 1947, to provide that agricultural land shall be classified, appraised, and assessed according to its value for agricultural purposes; repealing Section 84-437.7; providing an effective date."

Page No. 218, 219, 388, 513, 635, **675**, 691, 716, 724, 730.

- 508 Introduced by Lowe, Bertsche: A bill for an act entitled: "An act relating to airplanes owned or leased by the State of Montana; requiring the transfer of title of state owned or leased airplanes to the name of the State of Montana; constituting the Division of Aeronautics as custodian of state owned or leased airplanes; and providing for rules and regulations governing the use of state owned or leased airplanes."

Page No. 370, 371, 504, 674, **682**, 708, 711, 724, 769, 770, 780, **787**, 837, 944, 962.

- 510 Introduced by Bollinger: A bill for an act entitled: "An act to repeal Chapter 1 of the Laws of 1973 relating to legislative employee duties and salaries; and providing an effective date."

Page No. 173, 174, 201, 220, **240**, 295, 309.

- 511 Introduced by Bollinger: A bill for an act entitled: "An act appropriating money for the operation of the Second Session of the Forty-Third Legislature; and specifying an immediate effective date."

Page No. 26, 27, 36, 47, 63.

- 516 Introduced by Turnage: A bill for an act entitled: "An act amending Section 84-601, R.C.M. 1947, providing that the county attorney shall act as counsel for the tax appeal board of his county."

Page No. 300, 301, 618, **627**.

- 519 Introduced by Moore: A bill for an act entitled: "An act to amend Section 75-8305, R.C.M. 1947, directing the county attorney to represent the county superintendent upon his request; authorizing and requiring trustees of school districts to employ other legal counsel and providing an effective date."

Page No. 287, 288, 357, 373, 393, 499, 508.

- 521 Introduced by Story: A bill for an act entitled: "An act to amend Section 82A-1602, R.C.M. 1947, to change the name of the Board of Nurses to the Board of Nursing."

Page No. 86, 703, 711, **734**, 830, 840, 933.

- 522 Introduced by Hall, Zody, Keenan: A bill for an act entitled: "An act to amend Section 23-4007, R.C.M. 1947, by providing for disposition of ballots by registrar."

Page No. 672, 681, 723, 739, **747**, 830, 840, 933.

- 523 Introduced by Hall, Zody, Keenan: A bill for an act entitled: "An act authorizing cities or towns to destroy documents relating to utility operation that are not required by the Public Service Commission."

Page No. 287, 288, 540, 674, **682**, 731, 766, 773, 793.

- 524 Introduced by Hall, Bertsche, Rosell, Moore: A bill for an act entitled: "An act to govern, control and prevent the sale, offering for sale, barter or giving away of baby chickens, ducklings, or other fowl, under three (3)

weeks of age, or rabbits under two (2) months of age, as pets, toys, premiums or novelties."

Page No. 330, 331, 671, 680, 692, 698, 699, **713**, 760, 761, 772, 813, 824, **827**, 843, 944, 962.

- 525 Introduced by Hall, Devine, Lowe: A bill for an act entitled: "An act defining and punishing shoplifting; amending Sections 95-611 and 11-1602, R.C.M. 1947, expanding a citizen's right to arrest offenders of this act and limiting civil actions based on such arrests."

Page No. 342, 343, 671, 680, 692, 699, 711, **734**, 747, 778, 780, 863, 864, 873, 884, 922, 1005, 1014.

- 526 Introduced by Lowe, Hall, Keenan, Moritz: A bill for an act entitled: "An act amending Section 32-2137, R.C.M. 1947, to authorize right turns at intersections on exhibition of red or stop signals."

Page No. 203, 744, 765, **781**, 915, 917, 1010.

- 527 Introduced by Gilfeather, Turnage, Moore, McGowan, Bennett: A bill for an act entitled: "An act providing a procedure permitting a handwriting expert residing and having his place of business outside the county or state to examine the signatures on the original copy of a will."

Page No. 86, 271, 290, **306**, 364, 527.

- 529 Introduced by Turnage, Moore, Lynch, McKeon, Drake, Gilfeather: A bill for an act entitled: "An act to amend Section 94-6-203, R.C.M. 1947, adding provisions to the definition of criminal trespass to property."

Page No. 86, 272.

- 530 Introduced by Lowe, Manning, Broeder, Cochrane: A bill for an act entitled: "An act to amend Section 84-3505, R.C.M. 1947, pertaining to the public contractors' license fee, by providing that the additional license fee shall be computed upon the basis of the entire contract, and shall be withheld from payments due to the general contractor, who may, in turn, withhold from payments to his sub-contractors their portion of the additional license fee as computed thereunder."

Page No. 387, 388, 755, 765, **781**, 885, 896, 955.

- 531 Introduced by Bertsche, Thiessen: A bill for an act entitled: "An act to appropriate money for capital projects for the biennium ending June 30, 1975; and providing for other matters relating to the appropriations."

Page No. 940, 942, 967, 991, **996**, 1046, 1047.

- 532 Introduced by Bertsche, Thiessen: A bill for an act entitled: "An act to appropriate moneys to various state agencies for the biennium ending June 30, 1975; and providing for other matters relating to the appropriations."

Page No. 940, 942, 1005, 1015, **1018**, 1031, 1050.

- 533 Introduced by Bertsche, Thiessen: A bill for an act entitled: "An act to appropriate moneys to various state agencies for the biennium ending June 30, 1975; and providing for other matters relating to the appropriations."

Page No. 940, 942, 1006, 1015, **1018**, 1050.

- 534 Introduced by Mathers, Bertsche: A bill for an act entitled: "An act amend-

ing Section 84-1508.2, R.C.M. 1947, to automatically extend the statute of limitations on Montana corporation tax returns when a written agreement is made extending the federal statute of limitations, and providing an effective date."

Page No. 173, 174, 462, 517, 674, **683**, 746, 788, 795, 933.

- 535 Introduced by Bertsche, Himsel: A bill for an act entitled: "An act amending Section 75-7121, R.C.M. 1947, to permit school districts within the same county to combine and cooperate for the purpose of preparing bond issues and negotiating them for sale."

Page No. 173, 174, 643, 674, 683, 766, 773, 793.

- 536 Introduced by Bennett, Drake, McGowan: A bill for an act entitled: "An act permitting incorporation of firms engaged in the practice of public accounting; regulating such practice; and providing for the registration of such corporations; and amending Sections 66-1832, 66-1835, 66-1838, R.C.M. 1947."

Page No. 148, 149, 755, 765, **781**, 915, 917, 1010.

- 537 Introduced by Drake, Goodheart: A bill for an act entitled: "An act requiring that any law requiring local government to administer any program or provide any service include a method of financing such program or service."

Page No. 330, 331, 540, 674, 679, 753, 754, 765, **782**, 844, 845, 869, 922, 1050.

- 539 Introduced by Bollinger, Klindt: A bill for an act entitled: "An act to amend Section 70-101, R.C.M. 1947, to provide for a five (5) member elected Public Service Commission from five (5) districts apportioned on the basis of population; and repealing Sections 70-102 and 72-101, R.C.M. 1947."

Page No. 672, 681, 830, 846, 872, **881**, 921, 1027, 1047.

- 540 Introduced by Bollinger, Romney: A bill for an act entitled: "An act amending Section 69-4902, R.C.M. 1947, to provide that a water supply that serves twenty-five (25) or more persons is a public water supply."

Page No. 287, 288, 540, 674, **683**, 766, 773, 793.

- 542 Introduced by Bollinger, Graham: A bill for an act entitled: "An act amending Section 71-307, R.C.M. 1947, making it mandatory for the County Department of Public Welfare to have a recipient of general relief work if the county has work available which a recipient is capable of performing."

Page No. 463, 464, 768, 779, **800**, 915, 917, 1010.

- 544 Introduced by Hazelbaker: A bill for an act entitled: "An act limiting the amount of an initial deposit premium under Plan No. 3 Workmen's Compensation Insurance, and amending Section 92-1103, R.C.M. 1947."

Page No. 425, 426, 755, **768**.

- 545 Introduced by Hazelbaker: A bill for an act entitled: "An act to provide for licensing and regulating private investigators and private patrol operators and to safeguard the interests of the public."

Page No. 387, 388, 755, 765, **782**, 944, 962.

- 546 Introduced by Hazelbaker: A bill for an act entitled: "An act to allocate state

construction funds to match federal-aid highway funds available for the replacement of bridges, and providing for the apportionment of such state construction funds."

Page No. 203, 706, 739, 830, 840, 933.

- 548 Introduced by Story, Lynch: A bill for an act entitled: "An act to amend Sections 26-1701, 26-1702, and 26-1705, and to repeal Section 26-1703, R.C.M. 1947, providing for written certification that the importation or source of live or dead salmonid fish or eggs is free of such infectious organisms as the State Fish and Game Commission may specify; eliminating the information required in the certificate, and providing for quarantine of cargoes and vehicles violating these requirements."

Page No. 300, 301, 423, 445, **472**, 589, 620.

- 549 Introduced by Story, Boylan: A bill for an act entitled: "An act authorizing the Department of Natural Resources and Conservation to impose special conditions on a water use permit, recognizing upstream storage rights, and amending Sections 89-886 and 89-889, R.C.M. 1947."

Page No. 287, 288, 712, **734**, 796, 860, 868, 933.

- 550 Introduced by McGowan, Turnage, Romney, Moore: A bill for an act entitled: "An act to authorize and direct the Montana Department of Revenue on behalf of the legislative assembly to transfer to the public school permissive levy deficiency fund the tax collected in excess of the fully paid and discharged indebtedness of the Montana State Hospital for the Insane bonds of the State of Montana and of the Montana State Training School bonds of the State of Montana; and providing an effective date."

Page No. 173, 174.

- 551 Introduced by McGowan, Turnage, Moore: A bill for an act entitled: "An act amending Section 84-302, R.C.M. 1947, relating to the basis for imposition of property taxes on the various classes of taxable property in Montana; and providing an effective date."

Page No. 219, 462, **548**, 677, 680, 730.

- 552 Introduced by McGowan, Turnage, Sorensen: A bill for an act entitled: "An act revising the hearing and appeal procedures of county tax appeal boards and providing for the compensation of members of such boards, and amending Sections 84-601, 84-604, 84-708, and 84-709, R.C.M. 1947."

Page No. 300, 301, 386, 404, **430**, 506, 589, 620.

- 553 Introduced by Lynch, Moore: A bill for an act entitled: "An act to provide for the regulation and licensing of persons practicing acupuncture in Montana; and providing penalties."

Page No. 425, 426, 809, 821, **850**, 921, 1027, 1047.

- 554 Introduced by Zody, Bollinger, Drake, Himsl: A bill for an act entitled: "An act to authorize the Department of Social and Rehabilitation Services to provide supplementary assistance to recipients of supplemental security income under Title XVI of the Social Security Act of the United States; and providing an effective date."

Page No. 645, 646, 917, 956, 966, **977**, 1050.

- 555 Introduced by Turnage, McGowan, Moore, Graham, Hall, Darrow, Cochrane, Keenan, McDonald, Shea, McNamer, Sorensen, Lowe, Broeder, Bennett,

Story, James, McCallum, Northey, Devine, Hazelbaker, Romney, Carl, Flynn, Aber, Goodheart, Klindt, Breeden, Rosell, Deschamps, Siderius, McKeon: A bill for an act entitled: "An act providing for public inspection of all records of the Division of Workmen's Compensation bearing upon claims and awards; declaring a compelling state interest in the right to inspect such records; declaring that in such cases the merits of public disclosure exceed the demand of individual privacy; conforming the Division of Workmen's Compensation public disclosure requirements to Sections 9 and 10 of Article II of the 1972 Montana Constitution; amending Section 92-809, R.C.M. 1947; and repealing Section 92-1348, R.C.M. 1947."

Page No. 287, 288, 777, 845, 861.

- 556 Introduced by Moore, Lynch, Hazelbaker, Graham: A bill for an act entitled: "An act to establish the position of Code Commissioner; to provide for a new Montana Code on a continuing basis; and to repeal Sections 12-301 through 12-329, 12-331, 12-332 and 12-332.1, R.C.M. 1947."

Page No. 287, 288, 809, 821, 850, 922, 924.

- 558 Introduced by Klindt, Cochrane, Moritz: A bill for an act entitled: "An act amending the Montana Strip Mining and Reclamation Act by deleting the word 'clay' in Section 50-1036, R.C.M. 1947; amending the Open Cut Mining Act by inserting in Sections 50-1502, 50-1503, and 50-1504, R.C.M. 1947, the word 'clay' as one of the substances covered by said act; and providing an effective date."

Page No. 173, 174, 810, 821, 851, 935, 936, 1010.

- 559 Introduced by Klindt, Cochrane, Moritz: A bill for an act entitled: "An act to place the mining of scoria under the administrative jurisdiction of the Open Cut Mining Act by amending Sections 50-1502, 50-1503, and 50-1504, R.C.M. 1947."

Page No. 173, 174, 816, 846, 851, 921, 1005, 1014.

- 560 Introduced by Harrison: A bill for an act entitled: "An act eliminating limits on the amount for which any individual may be insured in group life insurance policies; and repealing Section 40-3908, R.C.M. 1947."

Page No. 541, 542, 694, 699, 713, 788, 795, 933.

- 562 Introduced by Sorensen, Broeder: A bill for an act entitled: "An act to amend Section 32-2610, R.C.M. 1947, to allow the Department of Highways to increase the expenditures for Federal Aid Interstate Highway Systems made in any financial district to the extent of three hundred percent (300%) more than the amount of money allocated to such district."

Page No. 203, 204, 817, 874, 1005, 1014.

- 563 Introduced by Broeder, Sorensen: A bill for an act entitled: "An act to allocate state construction funds to match federal-aid highway funds available for economic growth centers; and providing for the apportionment of such state construction funds."

Page No. 235, 236, 707, 739, 751, 762, 860, 868, 933.

- 566 Introduced by Thiessen, Bertsche: A bill for an act entitled: "An act validating, ratifying, approving and confirming bonds and other instruments or obligations, heretofore issued by public bodies of this state, and all proceedings heretofore taken by such public bodies, to authorize and issue such bonds, instruments and other obligations, however described, and providing that this act may be cited as 'The 1974 Bond Validating Act'; containing a repealing clause and providing an effective date."

Page No. 370, 371, 618, 675, 683, 766, 773, 793.

- 568 Introduced by Darrow, Lynch, Turnage, McDonald, Graham, Flynn, Moore, Mathers, Hazelbaker, McKeon, Drake, Bennett, Harrison: A bill for an act entitled: "An act amending the Montana Administrative Procedure Act to remove the time limit on legislative review of rules; amending Section 82-4203.1, R.C.M. 1947."
- Page No.** 491, 492, 754, 765, **782**, 844, 845, 915, 926, 938, 956, 960, 1027, 1047.
- 569 Introduced by Himsl, James, Mathers, Breeden: A bill for an act entitled: "An act to amend Section 75-5931, R.C.M. 1947, to change mileage reimbursement rate for school trustees to and from the trustees' meeting place from eight cents (\$.08) to twelve cents (\$.12) for every mile necessarily traveled; and providing an effective date."
- Page No.** 219, 643, 675, **684**, 724, 743, 771.
- 570 Introduced by Devine, Bertsche: A bill for an act entitled: "An act to prevent price discrimination in the sale of beer by brewers and beer wholesalers."
- Page No.** 443, 444, 789, **795**.
- 572 Introduced by Bollinger: A bill for an act entitled: "An act repealing sections of the Public Welfare Act supplanted by the United States Social Security Act as of January 1, 1974, repealing Sections 71-401 through 71-411, 71-413, 71-601 through 71-607, 71-609 through 71-614, and 71-1201 through 71-1210, R.C.M. 1947; and providing an effective date."
- Page No.** 203, 204, 768, 779, **800**, 915, 917, 1010.
- 573 Introduced by Bollinger, Goodheart: A bill for an act entitled: "An act amending Section 71-1404, R.C.M. 1947, to provide supplementary services to prevent blindness or to restore sight."
- Page No.** 203, 204, 768, 779, **801**, 894, 944, 962.
- 574 Introduced by Bollinger, Goodheart: A bill for an act entitled: "An act amending Section 71-1520, R.C.M. 1947, to authorize the state and its counties to accept the Federal Social Security Administration's determination of eligibility for medical care; and providing an effective date."
- Page No.** 203, 204, 768, 779, **801**, 885, 896, 955.
- 575 Introduced by Romney: A bill for an act entitled: "An act to amend Section 82A-1602, R.C.M. 1947, to change the name of the Board of Masseurs to the Board of Massage Therapists."
- Page No.** 316, 317, 476, 517, **548**, 680, 687, 730.
- 576 Introduced by Romney: A bill for an act entitled: "An act to amend Section 82A-1602, R.C.M. 1947, to change the name of the Board of Osteopaths to the Board of Osteopathic Physicians."
- Page No.** 316, 317, 476, **458**, 680, 687, 730.
- 577 Introduced by Deschamps, McCallum, Rosell, Hazelbaker: A bill for an act entitled: "An act to amend Section 32-21-122, R.C.M. 1947, requiring safety chains on trailers."
- Page No.** 370, 371, 744, 765, **782**, 885, 896, 955.
- 579 Introduced by Zody, Sorensen, Lowe, Thiessen: A bill for an act entitled: "An act amending Section 93-401, R.C.M. 1947, to authorize the Board

of County Commissioners in every county to constitute as many justice courts as the Board of County Commissioners deems necessary and to provide for the location of the justice courts."

Page No. 300, 301, 401, 739, 751, 765, **783**, 844, 845, 916, 926, 938, 957, 960, 1046, 1047.

- 580 Introduced by Bennett, Drake, Harrison: A bill for an act entitled: "An act amending Section 84-708.1, R.C.M. 1947, prohibiting the Department of Revenue from putting into effect any reappraisal or new valuations of property for property tax purposes in any county except as part of a statewide, uniform reassessment or new valuation."

Page No. 287, 289, 818, **862**.

- 581 Introduced by Bennett, Drake, Harrison: A bill for an act entitled: "An act to allocate state construction funds to match federal-aid highway funds available for priority primary routes; and providing for the apportionment of such state construction funds."

Page No. 370, 371, 707, 739, **748**, 830, 840.

- 582 Introduced by Bollinger, Graham, Mathers: A bill for an act entitled: "An act amending Section 46-1501, R.C.M. 1947, to permit joint herd districts which cross two (2) or more county lines."

Page No. 287, 289, 439, 467, **497**, 641, 760.

- 584 Introduced by Siderius: A bill for an act entitled: "An act to amend Section 82A-2005, R.C.M. 1947, to clarify instructions to the publishers of the Montana Revised Codes relating to the former Tramway Safety Board."

Page No. 370, 371, 618, 675, **684**, 724, 743, 771.

- 585 Introduced by McCallum Deschamps, Rosell: A bill for an act entitled: "An act to amend Section 26-504, R.C.M. 1947, to authorize the use of snare traps for the purpose of snaring animals or birds only in accordance with Fish and Game regulations and deleting reference to anchors."

Page No. 387, 388, 624, 675, **684**, 743, 758, 793.

- 587 Introduced by Boylan, Breeden, Aber, Nees, Zody, Thiessen, Broeder: A bill for an act entitled: "An act limiting the fee to be paid by municipally operated utilities for the support of the Consumer Counsel to six-tenths of one percent (.6 of 1%) of gross operating revenue; and amending Section 70-709, R.C.M. 1947."

Page No. 330, 331, 831, 846, 981, 1027, 1047.

- 588 Introduced by Thiessen, Zody: A bill for an act entitled: "An act allowing discretionary tuition for high school students and providing criteria; and amending Section 75-6314, R.C.M. 1947, relating to discretionary tuition for elementary students."

Page No. 235, 236, 591, 675, 680, 691, 725, 751, **762**, 837, 915, 917, 1010.

- 589 Introduced by Goodheart, Romney: A bill for an act entitled: "An act to amend Section 84-901, R.C.M. 1947, regarding assessment of utilities to include microwave companies; and providing an effective date."

Page No. 235, 236, 505, **549**, 677, 680, 730.

- 590 Introduced by James: A bill for an act entitled: "An act to authorize the

expenditure of federal and state funds by resolution of the Board of County Commissioners."

Page No. 387, 388, 624, 675, **685**, 743, 758, 793.

- 591 Introduced by Flynn: A bill for an act entitled: "An act to amend Section 69-4103, R.C.M. 1947, relating to the qualifications of members of the Board of Health and Environmental Sciences."

Page No. 491, 492, 703, 712, **735**, 830, 840, 933.

- 593 Introduced by Carl, Siderius: A bill for an act entitled: "An act to prohibit camping in rest areas along the interstate highways in Montana; and providing penalties."

Page No. 628, 629, 818, 828, 846.

- 594 Introduced by Graham: A bill for an act entitled: "An act appropriating one hundred thousand dollars (\$100,000) to the Legislative Council for the publication of the journals, session laws, and statute number compilations of the 1974 Legislature."

Page No. 703, 969, 971, 992, 994, 995, **1000**, 1031, 1050.

- 597 Introduced by Cochrane, Mathers: A bill for an act entitled: "An act declaring the right to refuse to participate in an abortion, providing penalties and remedies in case of the infringement of this right and providing an effective date."

Page No. 491, 492.

- 598 Introduced by Cochrane, Mathers: A bill for an act entitled: "An act declaring the right to refuse to participate in medical procedures resulting in sterilization; providing penalties and remedies in case of the infringement of this right; and providing an effective date."

Page No. 491, 492, 642.

- 599 Introduced by Turnage, Mathers, McGowan, Nees: A bill for an act entitled: "An act amending Sections 84-709 and 84-709.1, R.C.M. 1947, clarifying the powers of the State Tax Appeals Board and the procedures involved in appeals before the State Tax Appeals Board."

Page No. 300, 301, 618, 810, 821, 923, 924, 965, 970, 972, **975**, 1011, 1046, 1047.

- 602 Introduced by McGowan, Graham, Devine, Broeder, Cochrane, Lowe, McKeon: A bill for an act entitled: "An act to create a Legislative Advisory and Liaison Committee; defining its powers and duties with respect to the Montana State Bureau of Mines and Geology; and providing an effective date."

Page No. 672, 681, 795, 822, **851**, 944, 962.

- 604 Introduced by McGowan, Graham, Broeder, Mathers: A bill for an act entitled: "An act Section 62-508, R.C.M. 1947, to clarify the Board of Horse Racing's authority to assess penalties against persons violating the rules of horse racing; and providing an effective date."

Page No. 387, 389, 703, 712, **735**, 796, 885, 896.

- 605 Introduced by James: A bill for an act entitled: "An act to amend Section 66-1506, R.C.M. 1947, to provide that the Board of Pharmacists shall increase the fee for registration by reciprocity."

Page No. 387, 389, 619, 675, **685**, 743, 758, 793.

- 606 Introduced by James, Thiessen: A bill for an act entitled: "An act to amend Section 66-1505, R.C.M. 1947, to provide that the Board of Pharmacists shall increase the compensation of the Board, and to provide actual and necessary expenses and mileage as authorized by Section 59-801, R.C.M. 1947."

Page No. 401, 402, 619, 675, **685**, 743, 758, 793.

- 607 Introduced by James, Himsl: A bill for an act entitled: "An act to amend Section 16-2420, R.C.M. 1947, to require the Boards of County Commissioners to designate class of county annually."

Page No. 330, 331, 386, 404, **431**, 641.

- 608 Introduced by Goodheart, Bollinger, Drake, Bennett, Keenan: A bill for an act entitled: "An act to authorize and direct the Montana Department of Revenue in computing the retail selling price of liquor to designate and establish a lesser retail selling price on all liquor manufactured, distilled, rectified, bottled or processed in Montana than is designated and established for liquor imported from without the state; and providing an effective date."

Page No. 901, 903, **970**, 972, 990, 995, **998**, **1013**, 1027, 1028, 1046, 1047.

- 609 Introduced by Hazelbaker: A bill for an act entitled: "An act changing the time limits for listing initiative and referendum measures on the ballot and for printing and distributing pamphlet copies of such measures, and amending Sections 37-104.1, 37-105, and 37-107, R.C.M. 1947."

Page No. 330, 332, 696, 712, **735**, 788, 795, 933.

- 610 Introduced by Boylan, Darrow, Breedon: A bill for an act entitled: "An act to amend emergency county zoning authority to provide for public notice, hearing and appeal procedures, by amending Section 16-4711, R.C.M. 1947."

Page No. 672, 681, 694, 697.

- 615 Introduced by McDonald, Devine, Klindt, Lowe: A bill for an act entitled: "An act to amend Section 75-6404, R.C.M. 1947, to change the regular school election day from the first Saturday in April of each year to the first Tuesday of April of each year; and providing an effective date."

Page No. 287, 289, 641, 675, 681, 692, **699**, 776, 830, 840, 933.

- 619 Introduced by Manning, Moritz: A bill for an act entitled: "An act to amend Section 32-4102, R.C.M. 1947, to allow the State Highway Commission to waive the provisions of Sections 84-3507 and 82-1927, R.C.M. 1947, relating to public contractors working beyond contract when the enforcement of such provisions will result in a reduction of the full benefits of the Federal Highway Act of 1921 and all amendments thereto."

Page No. 370, 372, 818, 846, 872, **882**, 1046, 1047.

- 620 Introduced by Lowe, Boylan: A bill for an act entitled: "An act amending the county weed control program with respect to noxious weed designations and the composition and powers of a County Weed Board; and amending Sections 16-1701, 16-1709.1, 16-1713, and 16-1719, R.C.M. 1947."

Page No. 491, 492, 726, 751, **762**, 820, 821, 867, 868, 869, 922, 1046, 1047.

- 621 Introduced by Moore, Lynch: A bill for an act entitled: "An act amending

Section 93-401, R.C.M. 1947, to change the responsibility of conducting the justice of the peace orientation course from the Montana Magistrate's Association to the University of Montana School of Law."

Page No. 287, 289, 357, 373, 394, 461, 481.

- 622 Introduced by Moore, Lynch: A bill for an act entitled: "An act appropriating fifteen thousand six hundred dollars (\$15,600) to the University of Montana Law School for the justice of the peace orientation course."

Page No. 645, 646, 917, 956, **972**, 1046, 1047.

- 623 Introduced by Thiessen: A bill for an act entitled: "An act to amend Section 66-2902, R.C.M. 1947, to define practice of massage; to amend Section 66-2908, R.C.M. 1947, to provide the board authority to suspend license for failure to renew; to amend Section 66-2909, R.C.M. 1947, to allow a thirty (30) day grace period for license renewal and to request a ten dollar (\$10) late renewal fee; to amend Section 66-2910, R.C.M. 1947, to increase the per diem for board members to twenty-five dollars (\$25); to amend Section 66-2914, R.C.M. 1947, by removing the automatic exemption for certain organizations and to require all persons and organizations not specifically exempt to apply for exemption to be granted at board's discretion."

Page No. 672, 681, 789, 804, **825**, 900, 1027, 1047.

- 624 Introduced by Klindt, Bollinger: A bill for an act entitled: "An act to amend Sections 70-704 and 70-707, R.C.M. 1947 of the Consumer Counsel Act, to permit more frequent meetings of the Legislative Consumer Committee; to grant to the Consumer Counsel some discretion in the hearings he must attend; to specify investigatory and discovery powers of the Consumer Counsel; to authorize the Consumer Counsel to participate in court proceedings involving the Public Service Commission and utility and transportation consumers pending before state and federal courts in addition to instituting such proceedings; and to authorize the Consumer Counsel to participate in appropriate proceedings conducted by federal administrative agencies."

Page No. 513, 755, 765, **783**, 843, 1050.

- 625 Introduced by Darrow, Moore: A bill for an act entitled: "An act creating a Department of Planning and Community Development; transferring functions to the department from the Departments of Fish and Game and Intergovernmental Relations; providing an effective date; amending Sections 82A-104, 82A-902, and 82A-2001.1, R.C.M. 1947; and repealing Sections 82-3701, 82-3702, 82-3703, 82-3704, 82-3705, 82-3706, 82-3707, and 82-3709, R.C.M. 1947."

Page No. 628, 629, 790, 822, **851**, 941, 1027, 1047.

- 626 Introduced by Drake, Boylan: A bill for an act entitled: "An act amending Sections 31-201, 31-209, 31-210, 31-213, and 31-223, R.C.M. 1947, to modify the Montana Highway Patrolmen's Retirement System; and repealing Section 31-212, R.C.M. 1947."

Page No. 628, 629, 831, 846, **874**, 923, 924, 969, 971, **975**, 1046, 1047.

- 629 Introduced by Thiessen, Zody: A bill for an act entitled: "An act appropriating money to Wibaux County, a political subdivision of the State of Montana, and contribution to the Wibaux County fish pond and recreation project in Wibaux County, Montana; and prohibiting expenditure of such money until all funds necessary for completion of project are available and committed."

Page No. 945, 946, 947, 948, 981, 994, 995, 998, 1030, 1050.

- 630 Introduced by Lynch: A bill for an act entitled: "An act to amend Section 93-2002, R.C.M. 1947, permitting applicants approved prior to January 1, 1970 to be admitted to the bar by examination."

Page No. 672, 681, 841, 872, **882**, 1005, 1014.

- 634 Introduced by McNamer, Turnage: A bill for an act entitled: "An act amending 67-2124, R.C.M. 1947, relating to the bond required to register a foreign subdivision for sale in Montana; and providing an effective date."

Page No. 425, 426, 694, 699, **714**, 788, 795, 933.

- 636 Introduced by Bennett, Drake, Harrison: A bill for an act entitled: "An act to provide for a cyclical program for the revaluation of taxable property on a county-by-county basis; providing for equalization of valuation of taxable property between the counties; prohibiting the adoption of other programs of revaluation of taxable property; repealing Section 84-429.13, R.C.M. 1947; and providing an effective date."

Page No. 287, 289, 818, **862**.

- 639 Introduced by Drake, Bennett, Devine: A bill for an act entitled: "An act to amend Sections 53-428, 53-449, and 53-450, R.C.M. 1947, relating to the requirements for the deposit of security under the Motor Vehicle Safety — Responsibility Act; and to repeal Sections 53-421, 53-422, 53-423, 53-424, 53-425, 53-426, 53-427, R.C.M. 1947."

Page No. 571, 572, 740, 751, **762**, 830, 840.

- 640 Introduced by McGowan, Drake, Thiessen, Lynch: A bill for an act entitled: "An act to empower the Board of Land Commissioners to lease geothermal resources on state lands."

Page No. 463, 464, 704, 712, **736**, 830, 840, 933.

- 641 Introduced by Flynn, Moore: A bill for an act entitled: "An act amending Section 80-2402, R.C.M. 1947, to provide that the Superintendent of the Warm Springs State Hospital shall be an experienced hospital administrator; and providing an effective date."

Page No. 628, 629, 832, 846, **875**, 921, 1005, 1014.

- 642 Introduced by Siderius, Drake, James, Bennett: A bill for an act entitled: "An act to amend Section 92-704.1, R.C.M. 1947, relating to benefit reductions under the Workmen's Compensation Act."

Page No. 491, 493, 832, **875**, 923, 924, 952, 954, 964, 969, 982, 994, 995, **1001**, 1012, 1050.

- 644 Introduced by Boylan, Sorensen: A bill for an act entitled: "An act amending Section 4-117, R.C.M. 1947, to remove archaic language and to provide a person who purchases liquor in case lots with a ten percent (10%) reduction from the retail price."

Page No. 921, 990, 1007, 1017, **1018**, 1027, 1028, 1029.

- 646 Introduced by Moore: A bill for an act entitled: "An act defining the crime of abortion and prescribing penalties."

Page No. 602, 603.

- 648 Introduced by Klindt, Bollinger: A bill for an act entitled: "An act to provide for the giving of notice of public hearings regarding the regulation of

the business of railroads to the Montana Consumer Counsel; and to make reference to the availability of the Montana Consumer Counsel in notices of hearings."

Page No. 645, 646, 756, 765, **783**, 885, 896.

- 649 Introduced by Bollinger, Klindt: A bill for an act entitled: "An act to provide for the giving of notice of public hearings regarding the regulation of utilities to the Montana Consumer Counsel; and for making reference to the availability of the Montana Consumer Counsel in notices of hearings by adding the following sections to Title 70, R.C.M. 1947."

Page No. 603, 604, 790, 804, **825**, 935, 936, 1010.

- 650 Introduced by Harrison, McGowan: A bill for an act entitled: "An act to amend Sections 89-869, 89-880, 89-892 and 89-893, R.C.M. 1947, of the Water Use Act of 1973 to provide for clarification and more efficient administration of the act by authorizing the Board of Natural Resources and Conservation to adopt rules providing for interim approval of changes in appropriation rights; by making it clear that construction may not be commenced prior to receiving a permit; by providing for an exemption from the permit requirements for all wells less than one-hundred (100) gallons a minute; and by providing for simplified procedures in approving changes and transfers of appropriation rights; and providing an effective date."

Page No. 287, 289, 769, 779, **801**, 894, 980, 991.

- 651 Introduced by Bollinger, Sorensen: A bill for an act entitled: "An act amending Section 59-539, R.C.M. 1947, to revise the computation of per diem allowance for travel of less than twenty-four (24) hours, changing required departure time from 8 to 7 a.m."

Page No. 643, 644, 790, 804, **826**, 915, 917, 1010.

- 653 Introduced by Lynch: A bill for an act entitled: "An act to reenact former Section 16-1031, R.C.M. 1947, which was repealed by Section 6 of Chapter 136, Laws of 1971, to provide for an alternate method to create garbage and ash disposal districts by counties which had created such districts prior to 1971, and providing for the method of creating, operating and financing said districts by a special assessment not to exceed three dollars (\$3) per month on the real property benefited by such service within such district."

Page No. 425, 426, 624, 675, **685**, 724, 743, 793.

- 654 Introduced by Drake, McGowan: A bill for an act entitled: "An act to amend Section 50-704, R.C.M. 1947, to provide that point or points of work may be performed upon a patented claim."

Page No. 387, 389, 704, 712, 739, 748, 830, 840, 933.

- 655 Introduced by Turnage, Bertsche, Drake, Lynch: A bill for an act entitled: "An act to amend Section 82-4323, R.C.M. 1947, to provide that a governmental entity employer must be joined as party defendant in certain actions; providing immunity from personal liability or from suit for governmental entity employees in certain cases; providing for indemnity in certain cases; and providing an effective date."

Page No. 645, 646, 832, 846, **875**, 921, 1007, 1027, 1047.

- 660 Introduced by Gilfeather, Mathers, Breeden, Boylan: A bill for an act entitled: "An act changing the method by which a school district may calculate its average number belonging when pupils are enrolled in special education programs; and amending Sections 75-6902 and 75-6903, R.C.M. 1947."

Page No. 491, 493, 591, 634, 676, 681, **686**, 708, 711, 756, 765, **786**, 799, 1046, 1047.

- 661 Introduced by Gilfeather, Boylan, Mathers, Breeden: A bill for an act entitled: "An act enumerating the allowable costs of special education programs which a school district may count for the purpose of assistance from the Foundation Program and requiring an annual accounting; and repealing Section 75-7813, R.C.M. 1947."

Page No. 491, 493, 591, 634, **676**, 710, 711, 756, 757, 765, **786**, 799, 1046, 1047.

- 662 Introduced by Gilfeather, Mathers, Breeden, Boylan: A bill for an act entitled: "An act establishing procedures for fixing special education programs budgets within school budgets and relating such special programs; and amending Sections 75-6905 and 75-6906, R.C.M. 1947."

Page No. 491, 493, 592, 634, 676, 680, 681, **686**, 709, 711, 757, 765, **786**, 799, 1046, 1047.

- 663 Introduced by Gilfeather, Mathers, Breeden, Boylan: "A bill for an act entitled: "An act allowing a school to exceed the statutory limitation of the general fund budget by virtue of establishing a new special education program, and amending Section 75-6923, R.C.M. 1947."

Page No. 491, 493, 593, 635, **676**, 1046, 1047.

- 664 Introduced by Gilfeather, Mathers, Breeden, Boylan: A bill for an act entitled: "An act relating to the School Foundation Program; providing for changes in financial schedules for the maximum general fund budgets for elementary and high school; amending Section 75-6905, R.C.M. 1947; and providing an effective date."

Page No. 491, 493, 593, 635, **676**, 1046, 1047.

- 665 Introduced by Lynch, McGowan, Bertsche, Manning, McKeon, Nees, McOmber: A bill for an act entitled: "An act to provide property tax relief to homeowners and renters who qualify under the provisions of this act."

Page No. 515.

- 667 Introduced by Rosell: A bill for an act entitled: "An act to amend Section 66-3211, R.C.M. 1947, to provide that the State Board of Psychologist Examiners may increase the application fee; and to allow an examination fee to be commensurate with cost."

Page No. 370, 372, 505, **549**, 687, 730.

- 668 Introduced by Flynn, Harrison: A bill for an act entitled: "An act to reduce the amount of good time allowance for habitual offenders; and amending Section 80-1905, R.C.M. 1947."

Page No. 443, 444, 624, 681, **693**, 746, 788, 795, 933.

- 669 Introduced by Bollinger, Graham: A bill for an act entitled: "An act establishing certain officers of the legislature and providing that they be elected by their respective chambers."

Page No. 287, 289, 381, 404, 428, **448**, 506, 542, 565, 770, 778, 780, **787**, 799, 885, 896.

- 670 Introduced by Devine: A bill for an act entitled: "An act making certain acts of brewers illegal; providing mandatory contract provisions; allowing transfers of interest in wholesaler business; delineating when a contractual relationship exists; granting injunctive relief; and providing

that all agreements, contracts or franchises be filed with the Montana Liquor Control Board."

Page No. 672, 673, 790, 804, **826**, 900, 980, 991.

- 671 Introduced by Hazelbaker: A bill for an act entitled: "An act to allow the Twin Bridges High School District to increase its general fund budget in excess of the general fund budget amount established in Section 75-6905, R.C.M. 1947, by the amount of tuition paid under Section 75-6319, R.C.M. 1947, and to amend Section 75-6923, R.C.M. 1947."

Page No. 401, 402, 727, 751, **763**, 837, 915, 917, 1010.

- 674 Introduced by Carl: A bill for an act entitled: "An act amending Section 82-4203, R.C.M. 1947, removing the requirement of notice and hearing when an agency adopts as a rule a description of its organization."

Page No. 541, 542, 832, 847, **875**, 921, 1027, 1047.

- 676 Introduced by McOmber: A bill for an act entitled: "An act to amend Section 53-147, R.C.M. 1947, to allow a ten (10) day grace period from the date of purchase to make application for registration of a motor vehicle; providing for the display of proof of purchase on demand; and providing penalties."

Page No. 491, 493, 744, 765, **784**, 885.

- 678 Introduced by Flynn, Bollinger: A bill for an act entitled: "An act to end county financial participation in federal medical assistance programs and to lower the maximum county levy which may be imposed for support of poor and indigent persons, amending Sections 71-1524, and 71-106, R.C.M. 1947; and repealing Sections 71-1519 and 71-1522, R.C.M. 1947."

Page No. 300, 301, 308, 811, 822, **852**, 944, 962.

- 679 Introduced by Moore, Turnage: A bill for an act entitled: "An act extending the regulation of credit life insurance and credit disability insurance; and requiring the amount of insurance in such policies to equal the amount of indebtedness; amending Sections 40-4203 and 40-4206, R.C.M. 1947."

Page No. 645, 646, 791, 804, 822, **852**, 921, 1005, 1014.

- 681 Introduced by Darrow, Bertsche, Mathers, Lowe, Zody, McGowan, Northey, James, McNamer: A bill for an act entitled: "An act creating the Strip Mine Siting Act and providing for control of the location of new strip mines and preparatory work; providing for permits, reclamation plans, and penalties."

Page No. 672, 673, 811, 822, 847, **876**, 921, 1027, 1047.

- 682 Introduced by McKeon: A bill for an act entitled: "An act to amend Section 10-622, R.C.M. 1947, relating to the appointment and salaries of probation officers for the juvenile departments of district courts in the State of Montana; providing salary increases; and providing an effective date."

Page No. 691, 754, 780, 841, 872, **882**, 1027, 1047.

- 684 Introduced by Bertsche, Cochrane: A bill for an act entitled: "An act for the general revision of the laws relating to hard rock mining by amending Sections 50-1203, 50-1204, 50-1205, 50-1207, 50-1208, 50-1209, 50-1210, 50-1211, 50-1213, 50-1216, 50-1220, 50-1222; and repealing Sections 50-1217, 50-1218, 50-1221, R.C.M. 1947."

Page No. 672, 673, 811, 822, **852**, 1027, 1047.

- 685 Introduced by Lowe, Bertsche, Drake, Cochrane: A bill for an act entitled: "An act authorizing the Department of Administration to enter into rental contracts with option to purchase for buildings to be used by the state; amending Section 82-1918, R.C.M. 1947, and providing an effective date."

Page No. 541, 542, 833, 847, **876**, 921, 1005, 1014.

- 689 Introduced by Bertsche, Gilfeather, Darrow, Devine, Rosell, Hall, DeWolfe, Graham, Moore, Lynch, Aber, Shea, Lowe, James, Siderius, McGowan, Sorensen, Boylan: A bill for an act entitled: "An act establishing an Educational Telecommunications Commission; prescribing its powers and duties; amending Section 82-3325; repealing Sections 75-5710 and 75-5711, R.C.M. 1947; and providing for an effective date."

Page No. 603, 604, 727, 751, **763**, 915, 917, 1010.

- 691 Introduced by Deschamps (by request): A bill for an act entitled: "An act amending Sections 27-702, and 27-703, R.C.M. 1947, providing for a definition of honey and restricting the use of the word honey in food labeling and advertising."

Page No. 463, 464, 707, 739, 748, 830, 840, 933.

- 692 Introduced by Sorensen, Northey, Lowe, Harrison, Moritz, Hazelbaker, Hall, Graham, Bollinger, DeWolfe, McGowan, Goodheart, James: A bill for an act entitled: "An act amending Section 31-117, R.C.M. 1947, to provide for civilian drivers' license examiners; and providing an effective date."

Page No. 370, 388, 818, 828, 847.

- 693 Introduced by Bollinger, Klindt: A bill for an act entitled: "An act to amend Sections 79-1012 through 79-1018, R.C.M. 1947, the State Budget Act, allowing for changes in budget format and clarifying and adjusting the language of those sections."

Page No. 602, 603, 833, 847, **876**, 921, 1027, 1047.

- 694 Introduced by Bollinger, Klindt: A bill for an act entitled: "An act amending Sections 8-108, 8-109, 8-110 and 8-111, R.C.M. 1947, to finance dissemination of notice of public hearings regarding the public convenience and necessity for granting motor carrier authority; to provide for the publication of such notice in the legal advertising section of appropriate newspapers; and adding two (2) new sections to Title 8, R.C.M. 1947, to provide for the giving of such notice to the Montana Consumer Counsel; and to make reference to the availability of the Montana Consumer Counsel in notices of hearings."

Page No. 603, 604, 679, 791, 804, 823, **853**, 944, 962.

- 697 Introduced by Gilfeather, Siderius: A bill for an act entitled: "An act to prevent discrimination in employment, public accommodations, education, and real property transactions; to establish a Commission on Human Rights; to authorize the creation of local commissions and to make uniform the law with reference thereto, and for other purposes; and repealing Sections 64-302 and 64-303, R.C.M. 1947."

Page No. 672, 674, 833, 847, **877**, 921, 1046, 1047.

- 698 Introduced by Moritz, Lowe, Manning, Sorensen, Darrow: A bill for an act entitled: "An act to allocate state constructions funds to match federal-aid highway funds available for safety construction programs; and providing an effective date."

Page No. 387, 389, 707, 739, 749, 915, 917, 1010.

- 702 Introduced by Boylan, Lowe: A bill for an act entitled: "An act amending Section 59-1603, R.C.M. 1947, to provide that any agreements involving union security must safeguard the rights of nonassociation of employees based on bona fide religious tenets."

Page No. 401, 402, 835, 848, **877**, 1005, 1014.

- 703 Introduced by Committee on State Administration (by request): A bill for an act entitled: "An act to amend Sections 25-501 and 93-303, R.C.M. 1947, to implement the executive and judicial recommendations of the majority report of the Montana Salary Commission by increasing the compensation of elective officials in the executive and judicial branches; and providing for an effective date."

Page No. 672, 674, 861, 871, 872, 873, **884**, 921, 1046, 1047.

- 704 Introduced by Moritz, Aber, Bertsche, Manning: A bill for an act entitled: "An act to amend Section 82-1925, R.C.M. 1947, defining the word 'Resident' under the Public Contractors' Preference Law; providing that suppliers whose offered materials are manufactured or produced in Montana with Montana labor shall be deemed to be residents."

Page No. 425, 426, 672, 681, **693**, 743, 758, 793.

- 709 Introduced by McGowan, Manning, Sorensen, Moritz: A bill for an act entitled: "An act to amend Section 70-806, R.C.M. 1947, to permit the Board of Natural Resources and Conservation to waive the filing of an application where utilities are being relocated pursuant to Sections 32-2414 through 32-2416, R.C.M. 1947."

Page No. 425, 426, 704, 712, **736**, 805, 815.

- 710 Introduced by Drake, Hazelbaker, Carl, James, Moore, Lynch, Shea, Zody: A bill for an act entitled: "Montana Model Life and Health Insurance Guaranty Association Act."

Page No. 463, 464, 694, 699, 712, **736**, 778, 780, 791, 792, 824, **827**, 837, 980, 991.

- 711 Introduced by Bertsche: A bill for an act entitled: "An act to provide that supervisory employees, management officials and confidential employees shall not be included in bargaining units of public employees; amending Section 59-1602, R.C.M. 1947."

Page No. 316, 317, 835, **862**.

- 712 Introduced by Carl, Northey (by request): A bill for an act entitled: "An act amending Section 75-8503.3, R.C.M. 1947, to provide for withholding of certain student documents until assessed traffic fines are paid."

Page No. 491, 493, 625, 692, 694, 755, 765, **784**, 894, 944, 962.

- 715 Introduced by McNamer, Turnage, Zody, Keenan: A bill for an act entitled: "An act regulating abortions; providing for keeping of records of abortions; declaring the right to refuse to participate in abortions; protecting the life of the fetus; providing penalties and an effective date."

Page No. 672, 674, 811, 823, **853**, 921, 1046, 1047.

- 716 Introduced by McNamer, Cochrane, Mathers, James: A bill for an act entitled: "An act declaring the right to refuse to participate in an abortion; providing penalties, remedies; and providing an effective date."

Page No. 603, 604.

- 717 Introduced by McNamer, Cochrane, Mathers, James: A bill for an act entitled: "An act declaring the right to refuse to participate in a sterilization operation; providing penalties and remedies; and an effective date."

Page No. 603, 604, 835, 848, 877, 921, 1027, 1047.

- 718 Introduced by Lynch: A bill for an act entitled: "An act amending Section 4-332, R.C.M. 1947, to provide for special permits to sell beer for any picnic, convention, fair, civic or community enterprise."

Page No. 515, 516, 889, 904, 927, 947, 1027.

- 726 Introduced by Zody: A bill for an act entitled: "An act to appropriate one hundred seventy-five thousand two hundred dollars (\$175,200) to the Department of Social and Rehabilitation Services from the general fund for the provision of supplementary payments to recipients of supplemental security income, Title XVI of the Social Security Act, for the bienium ending June 30, 1975."

Page No. 969, 971, 992, 994, 995, 999, 1046, 1047, 1050.

- 727 Introduced by Klindt, Devine, Rosell, James: A bill for an act entitled: "An act appropriating twenty thousand dollars (\$20,000) from the general fund to the Office of the Governor for the purpose of funding a program for recreation, physical fitness and lifetime sports for the biennium ending June 30, 1975."

Page No. 836, 839, 992, 1007, 1017, 1019.

- 728 Introduced by McGowan, Mathers, Turnage, Lynch, Sorensen: A bill for an act entitled: "An act providing for the suspension of action on certain applications for permits to appropriate surface water in the Yellowstone River Basin for three (3) years or until existing rights have been determined, whichever occurs first; making reservations established under the Montana Water Use Act preferred uses over such permits; and providing for an immediate effective date."

Page No. 571, 572, 704, 712, 736, 830, 840, 933.

- 729 Introduced by Sorensen, Moore, Bertsche, Hazelbaker: A bill for an act entitled: "An act appropriating four hundred ten thousand eight hundred eighty dollars (\$410,880) to the architecture and engineering construction advance account, revolving fund from the department of highways earmarked revenue fund for the construction of a capitol complex motor pool facility."

Page No. 941, 942, 981, 994, 995, 1002, 1046, 1047.

- 730 Introduced by Drake, Lynch, Mathers, Flynn, Vainio, Lowe, Cochrane, Broeder, Siderius, Story: A bill for an act entitled: "An act appropriating thirty three thousand three hundred thirty-three dollars (\$33,333) to the department of agriculture to used as development and construction funds for a U.S.D.A. approved port of export facility for the exportation of livestock."

Page No. 921, 925, 1007, 1017.

- 731 Introduced by Carl, James, Breeden, Mathers, Vainio, Goodheart, Boylan, Gilfeather, McCallum, Klindt: A bill for an act entitled: "An act to expand the definition of handicapped to include gifted and talented persons, who are six (6) years of age and under twenty-two (22) years of age, and to amend Sections 75-7801 and 75-7806, R.C.M. 1947."

Page No. 645, 646, 727, 731, 745, 760, 795, 823.

- 732 Introduced by Lynch, Gilfeather: A bill for an act entitled: "An act amending Section 11-1024, R.C.M. 1947, to remove the limitation on governing body contributions to group health insurance programs for employees of educational institutions; and providing an effective date."

Page No. 645, 646, 696, 712, **737**, 796, 885, 896.

- 733 Introduced by Lowe, Drake, Sorensen, Siderius: A bill for an act entitled: "An act to re-appropriate money from the long range building program account, to the Department of Administration for the purpose of constructing a building to be used by the Department of Social and Rehabilitation Services; and providing an effective date."

Page No. 799, 800, 896, 926, **949**, 1046, 1047.

- 734 Introduced by Bertsche, Lowe: A bill for an act entitled: "An act to appropriate money for capital projects for the biennium ending June 30, 1975; providing for other matters relating to the appropriations; and providing an effective date."

Page No. 941, 942, 981, 994, 995, **999**, 1046, 1047.

- 737 Introduced by Bollinger: A bill for an act entitled: "An act appropriating money to the Department of State Lands to fund the saline-alkali study and follow up."

Page No. 1029, 1030, 1031, 1033, 1034, **1035**, 1048, 1050.

- 738 Introduced by Manning: A bill for an act entitled: "An act amending Sections 93-307, 93-313, 93-315 and 93-316, R.C.M. 1947, to create judicial districts apportioned on the basis of population; and repealing Sections 93-301, 93-302 and 93-321, R.C.M. 1947."

Page No. 946, 955, 970.

- 739 Introduced by Bertsche, Himsl, Thiessen, Turnage, Moore, Mathers: A bill for an act entitled: "An act appropriating money from the general fund to the Office of Attorney General of the Department of Justice for prosecutorial purposes for the fiscal years 1974 and 1975."

Page No. 941, 942, 966, 990, 994, **997**.

- 740 Introduced by Moritz, Drake: A bill for an act entitled: "An act to appropriate moneys to the Department of Highways, Motor Pool Division to pay for delinquencies owed it by various agencies."

Page No. 1030, 1031, 1033, 1034, **1035**, 1050.

- 741 Introduced by Lynch, Mathers: A bill for an act entitled: "An act to require taxing authorities to hold hearings prior to increasing property taxation rates; requiring the Department of Revenue to certify total valuations and millage rates to taxing authorities; and providing an effective date."

Page No. 921, 925, 994, 1007, 1017, **1019**, 1050.

- 742 Introduced by Graham: A bill for an act entitled: "An act appropriating fifteen thousand dollars (\$15,000) from the general fund to the Legislative Council for the purpose of updating the statutory information retrieval system data base following the close of the 1974 Session of the Montana Legislature."

Page No. 947, 981, 994, 995, 1046, 1047.

- 743 Introduced by Graham: A bill for an act entitled: "An act amending Section

6 of Chapter 60, Session Laws of 1974 (32-2144.6, R.C.M. 1947) to provide for fees of justices of the peace; and providing an effective date."

Page No. 921, 925, 955, 971, 972, **978**, 1012, 1015, 1037, 1040, **1041**, 1048, 1050.

- 744 Introduced by Bollinger, Graham: A bill for an act entitled: "An act appropriating money to purchase a multilith duplicator and other equipment for the duplicating center."

Page No. 969, 971, 992, 994, 995, **1001**, 1050.

- 745 Introduced by McCallum, Moore, Mathers, Rosell, Himsl, Deschamps: A bill for an act entitled: "An act to appropriate moneys to the State Auditor for the biennium ending June 30, 1975; and providing for other matters relating to the appropriations; and providing an effective date."

Page No. 1011, 1013, 1027, 1029, **1032**, 1048, 1050.

- 746 Introduced by Bollinger: A bill for an act entitled: "An act appropriating money to pay the employer's contribution to the Public Employees' Retirement System on behalf of the members of the Legislature and legislative attaches."

Page No. 1030, 1031, 1034, **1035**, 1050.

- 1068 Introduced by Edland, Olson, Lee: A bill for an act entitled: "An act to amend Section 66-1508, R.C.M. 1947, to provide for a late renewal fee for certified pharmacy licenses."

Page No. 124, 409, 411, 445, 461, **496**, 899, 1003, 1005, 1014, 1020.

SENATE JOINT RESOLUTIONS

Bold face figures refer to roll calls

- 41 Introduced by Joint Rules Committee: A Joint Resolution of the Senate and the House of Representatives of the State of Montana to adopt joint rules to govern its proceedings.

Page No. 26, 27, 28, **36**, 64, **67**, 70, 135, 140.

- 42 Introduced by Story: A Joint Resolution of the Senate and the House of Representatives of the State of Montana urging the Secretary of the Interior to find and recommend that the proposed Allenspur Dam on the Yellowstone River should not be authorized or constructed.

Page No. 203, 204, 775, 935, 936.

- 43 Introduced by Bertsche: A Joint Resolution of the Senate and the House of Representatives of the State of Montana urging the Congress to increase appropriations for range land improvement on the public lands.

Page No. 203, 204, 439, 467, **498**, 589, 620.

- 44 Introduced by Bertsche: A Joint Resolution of the Senate and the House of Representatives of the State of Montana supporting the concept of federal legislation for improved reforestation and balanced management practices on forest land.

Page No. 235, 236, 727, 751, **763**, 896.

- 45 Introduced by Moore: A Joint Resolution of the Senate and the House of Representatives of the State of Montana submitting to the qualified electors of the State of Montana an amendment to Article VIII of the Constitution of Montana limiting the rate of taxation on real and personal property for state purposes to two (2) mills on each dollar of valuation.

Page No. 300, 301, 904.

- 46 Introduced by Bollinger: A Joint Resolution of the Senate and the House of Representatives of the State of Montana prescribing the duties and compensation of legislative employees.

Page No. 50, 53, 76, 91, **92**, 137, 168, 182.

- 48 Introduced by Darrow, Cochrane, McDonald, Keenan, Himsl, Flynn, Story, Sorensen, James, Lowe, Breeden, Boylan, Zody, Thiessen, Turnage, Goodheart, Vainio, Klindt, Mathers, Carl, Siderius: A Joint Resolution of the Senate and the House of Representatives of the State of Montana repealing Rule 16-2.14(2)-S14210 of the Montana Administrative Code, concerning standards for food service establishments; and providing an effective date.

Page No. 443, 444.

- 49 Introduced by Aber, Moritz, McCallum, Devine, Sorensen, Bollinger, Zody, Graham, Goodheart, Klindt, Breeden, Story, Northey, Lowe, Broeder: A Joint Resolution of the Senate and the House of Representatives of the State of Montana submitting to the qualified electors of Montana an

amendment to Article II, Section 16, of the Constitution of Montana removing third party suits from workmen's compensation actions.

Page No. 300, 302, 696, 707, 751, 739.

- 50 Introduced by James, Turnage: A Joint Resolution of the Senate and the House of Representatives of the State of Montana repealing Rule 40-3.78(6)-S78080 of the Montana Administrative Code, concerning monetary penalty for late renewal of certified pharmacy license.

Page No. 262, 263, 284, 340, 343, 361, 451, 461.

- 51 Introduced by Darrow, Flynn, Moore, McOmber, Drake, Bennett, Moritz, Graham, Turnage, Mathers, Northey, Carl, Aber, McNamer, McCallum, Rosell, Deschamps, Hazelbaker, Jensen, Keenan, Devine, Vainio, Boylan, Manning, Sorensen, Bertsche, McDonald, Thiessen, Goodheart, Cochran, Broeder, Klindt, James, Lynch, Siderius, McKeon, Nees, DeWolfe, McGowan, Bollinger, Lowe, Breeden, Story, Shea, Hall: A Joint Resolution of the Senate and the House of Representatives of the State of Montana submitting to the qualified electors of the State of Montana an amendment to Article V, Section 6 of the Constitution of the State of Montana providing that the legislature meet for not more than one hundred twenty (120) legislative days each biennium and removing the requirement of annual sessions.

Page No. 425, 426, 571, 601.

- 52 Introduced by Natural Resources Committee: A Joint Resolution of the Senate and the House of Representatives of the State of Montana requesting the Department of Natural Resources and Conservation and the Resource Conservation Advisory Council to recommend to the 1975 Legislative Session proposed legislation and implementing rules and standards establishing a statewide program for the control of soil erosion and sediment damage.

Page No. 287, 288, 727.

- 53 Introduced by Lynch: A Joint Resolution of the Senate and the House of Representatives of the State of Montana requesting the Committee on Priorities to consider requesting a joint standing subcommittee be assigned the study of the profession of "physicians' assistants" and draft proposed implementing legislation for the First Session of the Forty-Fourth Legislature convening in 1975.

Page No. 603, 604, 1027, 1047.

- 54 Introduced by Lynch: A Joint Resolution of the Senate and the House of Representatives of the State of Montana requesting the Office of the Governor in conjunction with the Highway Traffic Safety Division of the Department of Intergovernmental Relations to coordinate the development of a comprehensive motor vehicle information system (MVIS) and further requesting the Motor Fuel Tax Division, Department of Revenue; Gross Vehicle Weight Division, Department of Highways; Registrar's Bureau, Department of Justice; Highway Patrol Bureau, Department of Justice; and the Department of Public Service Regulation to cooperate with the Office of the Governor and the Highway Traffic Safety Division of the Department of Intergovernmental Relations in developing this system.

Page No. 571, 572, 672, 692, 699, 714.

- 55 Introduced by Darrow, Moritz, Deschamps, Flynn: A Joint Resolution of the Senate and the House of Representatives of the State of Montana directing the Department of Highways to reevaluate highway reseeded prac-

tices and to seek new ways to employ safer and more ecologically sound practices in the future.

Page No. 300, 302, 915, 917.

- 56 Introduced by Boylan, Romney, Deschamps, Darrow, Sorensen, Story, James: A Joint Resolution of the Senate and the House of Representatives of the State of Montana amending Joint Rule 6-6 to require the name of an executive department requesting introduction of a bill to be printed on the bill.

Page No. 387, 389, 915, 917.

- 58 Introduced by McDonald, Rosell: A Joint Resolution of the Senate and the House of Representatives of the State of Montana requesting the Committee on Legislative Priorities to assign an interim committee to continue and to expand study of the election laws relating to local governments and to report its findings and recommendations together with any necessary legislation to the second session of the 44th Legislative Assembly.

Page No. 401, 402, 625, 692, 700.

- 59 Introduced by Bollinger, Klindt: A Joint Resolution of the Senate and the House of Representatives of the State of Montana directing the Legislative Consumer Committee and the Consumer Counsel to conduct a study and make recommendations concerning the remuneration paid to owners of natural gas rights for their resource.

Page No. 515, 516, 896.

- 61 Introduced by Bertsche, Lynch, Cochrane, McDonald, Rosell, Gilfeather, Mathers, Sorensen: A Joint Resolution of the Senate and the House of Representatives of the State of Montana requesting Congress to allow Montana to be on Mountain Daylight Time from March first through November first.

Page No. 342, 343, 641, 692, 700.

- 62 Introduced by Bollinger: A Joint Resolution of the Senate and the House of Representatives of the State of Montana requesting the Committee on Priorities to assign a joint subcommittee to study all aspects of licensing done by state and local governmental units in Montana except as related to motor vehicles and fish and game licenses; and to report its findings with recommendations and draft legislation for the consolidation of licenses and licensing functions to the 1975 Session of the Legislature.

Page No. 571, 572, 935, 936.

- 63 Introduced by Bollinger, Klindt: A Joint Resolution of the Senate and the House of Representatives of the State of Montana directing the Committee on Priorities to assign the Legislative Consumer Committee and the Consumer Counsel to conduct a study, to work in conjunction with other appropriate government agencies to achieve equitable freight rates for commodities shipped within or to and from the State of Montana by rail, and to report its progress and recommendations to the 1975 Session of the Legislature.

Page No. 628, 629, 1027, 1047.

- 64 Introduced by Manning, Moritz, Turnage, Moore, Graham, McGowan, Sorensen, Nees, Cochrane, Lowe, Broeder, Himsl, Breeden, Mathers: A Joint Resolution of the Senate and the House of Representatives of the State of Montana submitting to the qualified electors of the State of Montana an amendment to the Constitution of Montana repealing Arti-

cle II, Section 18 of the Constitution, relating to waiver of sovereign immunity by the State of Montana.

Page No. 492, 969, 1046, 1047.

- 65 Introduced by Hall, Devine, Keenan, Bertsche, Bennett, Gilfeather, McGowan, Bollinger, Graham, Lynch, Goodheart, James, McDonald, Drake, Harrison: A Joint Resolution of the Senate and the House of Representatives of the State of Montana requesting the National Railroad Passenger Corporation (AMTRAK) and the Postmaster General of the United States to take all necessary and timely steps to institute seven (7) day a week AMTRAK passenger service over all Montana and connecting routes now in operation, institute AMTRAK mail service over all Montana and connecting routes now in operation, and institute a full connecting AMTRAK passenger and mail service on the Burlington, Northern and Company and Union Pacific Railroad line between Coumts, Canada, Sweet Grass, Montana via Shelby — Great Falls, Helena, Butte, Montana, and Salt Lake City, Utah, thence to Nuevo Laredo, Mexico, called the Rocky Mountain International.

Page No. 370, 372, 642, 692, 700.

- 66 Introduced by Boylan: A Joint Resolution of the Senate and the House of Representatives of the State of Montana calling for an interim study of all Montana laws relating to the sale and use of fireworks.

Page No. 425, 707, 739.

- 67 Introduced by Bollinger, Goodheart, Keenan: A Joint Resolution of the Senate and the House of Representatives of the State of Montana requesting the Montana State Department of Institutions to improve hospital space and care to veterans.

Page No. 370, 372, 935, 936.

- 68 Introduced by Rosell, Hall, Gilfeather: A Joint Resolution of the Senate and the House of Representatives of the State of Montana directing the Priorities Committee to assign to an interim subcommittee a study of the existing laws of the State of Montana in order to determine what changes should be made in these laws in order to achieve the equality of the sexes under the laws of Montana, and to report their findings and their proposals for changes in the law to the First Regular Session of the Forty-Fourth Legislature.

Page No. 443, 444, 1027, 1047.

- 69 Introduced by Committee on Judiciary: A Joint Resolution of the Senate and the House of Representatives of the State of Montana repealing Rule 42-3.26(14)-S26200(1) of the Montana Administrative Code, concerning standards for taverns; and providing an effective date.

Page No. 899, 912, 992, 994, 995, 999, 1046.

- 70 Introduced by Siderius, Harrison, Moore, Bertsche: A Joint Resolution of the Senate and the House of Representatives of the State of Montana directing that select committees of the Senate and the House of Representatives study all aspects of the Workmen's Compensation Act, draft proposed legislation and report its findings and recommendations to the First Regular Session of the Forty-Fourth Legislature.

Page No. 946, 955, 956, 967, 994, 997, 1031, 1050.



